Sheikh Taqīuddīn An-Nabahānī

The Islamic Personality

VOL .ONE – INTELLECTUAL & ISLAMIC SCIENCES

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Translation of the Qur'ān

It should be perfectly clear that the Qur'ān is only authentic in its original language, Arabic. Since perfect translation of the Qur'ān is impossible, we have used the translation of the meaning of the Qur'ān throughout the book, as the result is only a crude meaning of the Arabic text.

Qur'ānic verses appear in speech marks proceeded by a reference to the Sura and verse number. Sayings (*Hadith*) of Prophet Muhammad ﷺ appear in bold.

ﷺ - صلى الله عليه وسلم (Peace be upon him)

ﷻ - سبحانه وتعالى (Glory to Him, the Exalted)

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بِسْمِ ٱللَّهِ ٱلرَّحْمَٰنِ ٱلرَّحِيمِ

يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓا۟ ءَامِنُوا۟
بِٱللَّهِ وَرَسُولِهِۦ وَٱلْكِتَٰبِ ٱلَّذِى
نَزَّلَ عَلَىٰ رَسُولِهِۦ وَٱلْكِتَٰبِ
ٱلَّذِىٓ أَنزَلَ مِن قَبْلُ ۚ وَمَن
يَكْفُرْ بِٱللَّهِ وَمَلَٰٓئِكَتِهِۦ وَكُتُبِهِۦ
وَرُسُلِهِۦ وَٱلْيَوْمِ ٱلْءَاخِرِ
فَقَدْ ضَلَّ ضَلَٰلًۢا بَعِيدًا

سورة النساء ١٣٦

The Islamic Personality

VOL .ONE – INTELLECTUAL & ISLAMIC SCIENCES

In the name of Allah, al-Rahman, al-Rahim

Personality

The personality in every human being consists of his *'aqliyya* (mentality) and *nafsiyya* (disposition). His outward appearance, body, dress or any thing apart from these has no bearing on his personality, these are only superficial. It would be pointless for anyone to think that such aspects have any relevance or bearing upon the makeup of the human personality. This is because man is distinguished (from other creatures) by his '*aql* (intellect), and it is his *sulūk* (conduct) that indicates his elevation or decline. This is because man's *sulūk* (conduct) in this life is only in accordance with the concepts he holds, his *sulūk* (conduct) is thus necessarily intertwined with his concepts, beyond separation.

The *sulūk* (conduct) relates to those actions performed by man to satisfy his instincts and organic needs He therefore acts in accordance with the *muyūl* (inclinations) that he holds towards satisfaction of these instincts. Thus, his *mafahīm* (concepts) and *muyūl* (inclinations) are the backbone of his personality. As for what are these concepts and what do they constitute and what are are their results? And what are these *muyūl* (inclinations) and what causes their formation and what are their affects? This needs an explanation.

Concepts are the meanings of thoughts and not the meanings of statements. A statement or expression denotes a meaning that may or may not exist in reality. Thus, when the poet says:

ومن الرجال إذا انبريت لهدمهم هَـــرَمٌ غليظُ مناكبِ الصُّـــفّاحِ

فـإذا رميـتَ الحَـقَّ في أجْـلادِهِ تـرك الصـراعَ مُضعضَعَ الألـواحِ

There is amongst men he who when attacked,

Is found to be robust and sturdy,

But when you hurl at him the truth,

He flees the fight at once, worn out;

These meanings exist in reality and are comprehensible through sense-perception, though comprehending them may require deep and enlightened thought. However, when the poet says:

قـالوا: أيـنظم فارسـين بطعنـةٍ يـومَ النّـزالِ ولا يـراه جَلـيلاً

فأجبنـهم: لـو كـانَ طـولُ قَناتِـهِ مِـيلاً إذنْ نَظَـمَ الفَـوارسَ مـيلاً

They asked: does he pierce two horsemen with one strike,

And find this not a grand act?

I answered them, 'If his spear were the length a mile,

A mile of horsemen he would pierce;

This connotation is absolutely non-existent. The man praised did not pierce two horsemen with a single strike of his spear, nor did anyone ask this question, nor is it possible for him to pierce a mile of horsemen, these meanings illustrate and explain the words.

As for the meaning of *fikr* (thought), if the meaning indicated by the words exists in reality and is sensorially perceivable or conceivable by the mind as something that is sensed and thus believed in, this meaning is a concept for the person who senses it, or conceives and believes in it. It is not a concept for anyone who does not sense it or conceive it although he may understand the meanings of the sentence said to him or read by him. Hence it is imperative for one to receive or approach speech, whether he reads or hears it, in an intellectual manner. That is, he must understand the meanings of sentences as they indicate and not as the writer or speaker, or even he himself wants them to be. At the same time, he must comprehend the reality of these meanings in his mind in a manner that he can identify them such that these meanings become concepts. Therefore, concepts are the comprehensible meanings whose reality is comprehended by the mind, whether it is a perceivable reality existing outside the mind or one that is accepted on the basis of perceivable reality as existing outside it. Anything apart from these meanings of words and sentences is not termed as a 'concept', it is mere information.

Concepts are formed by the *rabt* (association) of the reality with information or the association of information with the reality and by the crystallisation of this formation (of concepts) in accordance with the basis or the bases upon which the information and reality are considered when their association takes place i.e, in accordance with one's understanding and comprehension of the reality and the information when he associates them. Thus, a person acquires an '*aqliyya* (mentality) by which he understands words and sentences and comprehends meanings and their identified reality and gives judgement upon it (i.e the reality). Therefore, the '*aqliyya* (mentality) is the mode of comprehending or understanding things. In other words, it is the way how a reality is associated with the information or information is associated with the reality, by considering it upon one basis or specified bases. From here stems the divergence in mentalities such as the Islamic mentality, the Communist mentality, the Capitalist mentality, the Anarchist mentality and the Monotonous mentality. Thus it can be said that these *mafahīm* (concepts) determine the conduct of man towards the comprehended reality and his inclination towards it, its acceptance or rejection and they build in him a particular inclination and a specific taste.

As for the *mayl* (Pl: *muyul*) (inclinations), they are the desires that motivate man towards satisfaction in association with the *mafahīm* (concepts) he holds about the objects he believes that will provide satisfaction of his desires. These inclinations are the outcome of the vital energy that pushes man to satisfy his instincts and organic needs and the association between this energy and the *mafahīm* (concepts) (he carries).

These inclinations alone form the *nafsiyya* (disposition) of man i.e. man's *nafsiyya* (disposition) is formed by his instinctual drives associated with the *mafahīm* (concepts) he holds about life. The *nafsiyya* (disposition) then is the mode which determines the satisfaction of instincts and organic needs. In other words, it is the mode whereby the drives toward satisfaction are linked with the *mafahīm* (concepts) one carries. It is a combination of the relationship (inside each human being) between his desires and his *mafahīm* (concepts) about life, and the *mafahīm* (concepts) he holds about those material objects that will satisfy his instincts and organic needs.

It is this (above described) '*aqliyya* (mentality) and *nafsiyya* (disposition) that the *Shakhsiyyah* (personality) constitutes. Although '*aql* (intellect) or comprehension is innate in man and is definitely existent in every human but the formation of the '*aqliyya* (mentality) is by the action of man. Similarly, although inclinations (*muyul*) are innate in man and are definitely existent in every man, the formation of *nafsiyya* (disposition) is performed by man. Since the presence of a basis or bases upon which information and the reality is considered on association which crystallises the meaning so that it becomes a concept and since the combination that occurs between the drives and the *mafahīm* (concepts) is what crystallises the drive so that it becomes an inclination, the basis or bases upon which man considers information and the reality upon which their association occurs has the most important influence in the formation of the '*aqliyya* (mentality) and *nafsiyya* (disposition). If the basis or bases upon which his '*aqliyya* (mentality) is formed is other than the basis or bases upon which his *nafsiyya* (disposition) is formed, his '*aqliyya* (mentality) will be different from his *nafsiyya* (disposition) because he would then be measuring his inclinations upon a basis or bases that are deep rooted in him and would be associating his drives with concepts other than those which formed his mentality. He forms a personality that lacks distinctiveness, a personality with variance and discrepancy, one whose thoughts are different from his inclinations, because he understands words and sentences and comprehends the reality in a mode different to his inclinations.

Consequently, the proper treatment of personality and its formation can only be achieved through the establishment of a single basis for both man's '*aqliyya* (mentality) and *nafsiyya* (disposition). The standard against which man measures information and the reality when he links them together should be the same standard basis according to which his drives and concepts are associated. The result of this is the formation of a unique and distinctive *shakhsiyya* (personality).

The Islamic Personality

Islam has provided a complete solution for man to create for himself a particular personality distinct from all others. With the Islamic *'aqīdah* (creed), it treated his thoughts, making for man an intellectual basis upon which his thoughts would be built and according to which his *mafahīm* (concepts) are formed. He can distinguish true thoughts from false ones when he measures them against the Islamic *'aqīdah* (creed), thus using it as an intellectual standard against which he can measure all thoughts. So his *'Aqliyyah* (mentality) is built upon the *'aqīdah* (creed) which provides him with a distinct *'aqiliyyah* (mentality) and a true basis for thoughts. Thus, his *'aqliyya* (mentality) is built upon this *'aqīdah* (creed) which provides him a distinct mentality and a true criterion for thoughts and ideas, safeguarding him from erroneous thought. Thereby he is able to negate false ideas, remaining honest in thought and sound in comprehension.

At the same time, Islam properly treated man's actions, which stem from his instincts and organic needs, with the *Shari'ah* rules which emanate from the *'aqīdah* (creed) itself; regulating his instincts, not suppressing them, harmonising them, not leaving them without restriction; enabling him to satisfy all his needs in a harmonious manner leading him to tranquility and stability. Islam has made the Islamic *'aqīdah* (creed) an intellectual one, making it suitable as an intellectual standard against which all thoughts can be measured. It also developed *its'aqīdah* (creed) as a comprehensive idea about man, life and the universe. This comprehensive idea was made to solve all man's complexities and problems, whether internal or external, thus making it suitable as a general standard, automatically used when there arises the link between man's desires and his *mafahim* (concepts). Thus Islam established for man, a definitive basis which is a definite criterion for both *mafahīm* (concepts) and *muyul* (inclinations) i.e., for the *'aqliyya* (mentality) and the *nafsiyya* (disposition) at the same time. Thus Islam formed the *shakhsiyya* (personality), a definite personality, distinct from all others.

Hence we find that Islam develops the Islamic personality by means of the Islamic *'aqīdah* (creed) By this Islamic *'aqīdah* (creed) both the *'aqliyya* (mentality) and the *nafsiyya* (disposition) are formed. Accordingly, the Islamic *'aqliyya* (mentality) is the one that thinks on the basis of Islam, that is, it takes Islam alone as the general criterion for thoughts related to life, and is not merely a knowledgeable or contemplative mentality. Rather, the fact that a person actually and practically takes Islam as the criterion for (judging) all thoughts makes his *'aqliyya* (mentality) Islamic.

As for the Islamic *nafsiyya* (disposition), it is the one that bases all its inclinations on the basis of Islam, that is, it makes Islam alone the general criterion for all satisfactions and it is not merely ascetic or stringent. Rather, the fact that a person actually and practically makes Islam the criterion for all his drives towards satisfaction makes his *nafsiyya* (disposition) Islamic. Thus, a person with such a *'aqliyya* (mentality) and *nafsiyya* (disposition) becomes an Islamic personality, irrespective of whether he is knowledgeable or ignorant, whether he establishes the performance of the *farā'id* (obligations) and *mandūbāt* (recommendations) and refrains from the *muharramāt* (prohibitions) and *makrūhāt* (reprehensible) acts or he observes over and above these other praiseworthy acts of obedience (*mustahabāt*) and avoids actions of a doubtful nature (*Shubhat*), in either case, the personality is Islamic, because anyone who thinks on the basis of Islam and makes his desires conform to Islam is an Islamic personality.

Indeed Islam instructed (the Muslim) to acquire more of the Islamic culture, so that his *'aqliyya* (mentality) matures and becomes capable of evaluating any thought (on the Islamic basis). Islam also demanded the performance of actions beyond the *fard* (obligation) and the avoidance of actions beyond the *haram* (prohibitions) in order to strengthen his *nafsiyya* (disposition) so that it becomes capable of deterring any inclination that Islam does not sanction. All this is (in order) to

enhance his personality and to set it on course, proceeding toward a sublime pinnacle. However, this does not classify those other than it as non-Islamic personalities. Rather, this is an Islamic personality and those other than it from the common people who qualify their actions on the basis of Islam and the educated who confine themselves to performing obligations and refraining from the prohibitions are also Islamic personalities. Although these personalities vary in strength, they all are Islamic personalities.

The important criterion in judging whether one is an Islamic personality or not is whether he takes Islam as the basis for his thinking and inclinations. It is according to this that Islamic personalities, mentalities, and dispositions become disparate. Many people err in judgement in envisaging the Islamic personality to be angelic. The harm they cause to society is enormous because they look for angelic figures from amongst people, never finding them; not even in their own selves, resulting in despair and loss of hope in the Muslims. Such idealists only serve as proof to the (false) idea that Islam is utopian, impossible to implement; and is composed of supreme ideals and standards that man cannot implement or maintain. Consequently, they turn people away from Islam and render many too paralysed to act; although Islam came to be implemented in practice and is practical: it deals with and treats realities and it is not difficult to implement. It is within the capacity of every man no matter how weak his thinking and how strong his instincts and needs, to implement Islam upon himself smoothly and with ease after he comprehends the Islamic *'aqīdah* (creed) and becomes an Islamic personality. This is because by simply making the Islamic *'aqīdah* (creed) the basis for his *mafahīm* (concepts) and *muyul* (inclinations) and maintaining this criterion he definitely becomes an Islamic personality. The only thing upon him thereafter is to strengthen his personality with the Islamic culture to reinforce his *'aqliyya* (mentality) and to strengthen his *nafsiyya* (disposition) with recommended acts of obedience, placing him on the path to a sublime pinnacle and establishing him on this path, from where he moves from peak to (higher) peak.

This is the result of the fact that Islam treated man's *'aqliyya* (mentality) with its *'aqīdah* (creed) as it made this *'aqīdah* (creed) the intellectual basis upon which he builds his thoughts about life. Thereby he distinguishes correct thoughts from the incorrect ones when he considers thoughts based on the Islamic *'aqīdah* (creed) and builds them on it in its capacity as an intellectual basis. Thus, he safeguards himself from erroneous and false thought, remaining true in thought, sound in comprehension. Similarly, Islam treated man's inclinations with the *Shari'ah* rules when it treated his actions that emanate from his instincts and organic needs, with a sensitive treatment: regulating the instincts, not harming them by attempting to annihilate them, harmonising them and not leaving them unrestricted; enabling man to satisfy all his needs in a harmonious manner leading to tranquility and stability.

Therefore, a Muslim who embraces Islam on the basis of his intellect and evidence implements Islam comprehensively upon himself and correctly understands the rules of Allah ﷻ, this Muslim is an Islamic personality, distinct from all others. He holds the Islamic *'aqliyya* (mentality) in his placing the Islamic *'aqīdah* as the basis for his thought and the Islamic *nafsiyya* (disposition) in his making this *'aqīdah* (creed) the basis for his inclinations. Hence, the Islamic personality is characterised with special attributes that distinguish the Muslim and mark him out amongst people; he stands out amongst them like a mole on the face. These attributes which characterise him are an inevitable result of his observing the commands of Allah ﷻ and His ﷻ prohibitions and of his acting in accordance with these commands and prohibitions, built upon an awareness of his relationship with Allah ﷻ. Thus, he seeks nothing from his observance of the *Shari'ah* except the pleasure of Allah ﷻ.

When a Muslim achieves the formation of an Islamic *'aqliyya* (mentality) and *nafsiyya* (disposition), he becomes of those fit for following and leading simultaneously, combining compassion and severity, abstinence and comfort, correctly understanding life: seizing this worldly life by

allocating for it only its due, and gaining the hereafter by striving for it. Accordingly, he is not dominated by any of the attributes of those who are enslaved to this worldly life nor is he taken by religious monomania or Indian self-denial; when he is a hero of *Jihād* , he is also the resident of the prayer chamber; when he is a leader, he is also humble. He combines within him leadership and jurisprudence, trade and politics. His most sublime attribute is that he is a servant of Allah ﷻ, his Creator and Originator. Therefore, you find him humble in his prayer, refraining from futile talk, paying his *zakāh*, lowering his gaze, protecting his trusts, honouring his pledge; keeping his promise, and performing *Jihād* in the path of Allah ﷻ. This is the Muslim, a believer, an Islamic personality, formed by Islam which makes him the best of people.

Allah ﷻ has described this personality in the Noble Qur'ān through a number of *ayāt* (verse) when He ﷻ described the Companions of the Messenger of Allah ﷺ and when He ﷻ described the believers, when he ﷻ described the slaves of the Most Gracious and when He ﷻ described those who perform *Jihād*. Allah ﷻ says:

﴿مُحَمَّدٌ رَّسُولُ اللَّهِ وَالَّذِينَ مَعَهُ أَشِدَّاء عَلَى الْكُفَّارِ رُحَمَاء بَيْنَهُمْ﴾

"Muhammad is the Messenger of Allah; and those who are with him are tough against the disbelievers, compassionate amongst each other" [TMQ Fath: 29]

And

﴿وَالسَّابِقُونَ الأَوَّلُونَ مِنَ الْمُهَاجِرِينَ وَالأَنصَارِ وَالَّذِينَ اتَّبَعُوهُم بِإِحْسَانٍ رَّضِيَ اللّهُ عَنْهُمْ وَرَضُواْ عَنْهُ﴾

"And the vanguard (of Islam), the first of those who forsook (their homes) and of those who gave them aid, and (also) those who follow them in goodness, well-pleased is Allah with them and they with Him" [TMQ Taubah:100]

And

﴿قَدْ أَفْلَحَ الْمُؤْمِنُونَ۞ الَّذِينَ هُمْ فِي صَلَاتِهِمْ خَاشِعُونَ۞وَالَّذِينَ هُمْ عَنِ اللَّغْوِ مُعْرِضُونَ ۞وَالَّذِينَ هُمْ لِلزَّكَاةِ فَاعِلُونَ﴾

"Succesful are the believers, those who humble themselves in their prayer; who turn away from vain talk; who are active in deeds of charity"[TMQ Mu'minūn: 1-4]

And

﴿وَعِبَادُ الرَّحْمَنِ الَّذِينَ يَمْشُونَ عَلَى الْأَرْضِ هَوْناً وَإِذَا خَاطَبَهُمُ الْجَاهِلُونَ قَالُوا سَلَاما۞ وَالَّذِينَ يَبِيتُونَ لِرَبِّهِمْ سُجَّداً وَقِيَاماً﴾

"And the servants of Most Gracious are those who walk on the earth in humility, when the ignorant address them, they say, 'Peace!' Those who spend the night in adoration of their Lord, prostate and standing" [TMQ Furqān: 63-64]

And

﴿لَكِنِ الرَّسُولُ وَالَّذِينَ آمَنُواْ مَعَهُ جَاهَدُواْ بِأَمْوَالِهِمْ وَأَنفُسِهِمْ وَأُوْلَئِكَ لَهُمُ الْخَيْرَاتُ وَأُوْلَئِكَ هُمُ الْمُفْلِحُونَ ۞ أَعَدَّ اللّهُ لَهُمْ جَنَّاتٍ تَجْرِي مِن تَحْتِهَا الأَنْهَارُ خَالِدِينَ فِيهَا ذَلِكَ الْفَوْزُ الْعَظِيمُ﴾

"But the Messenger and those who believe with him strive and fight with their wealth and their persons: *for them are (all) good things, and it is they who will prosper. Prepared for them has Allah Gardens whereunder flow rivers, to dwell therein forever; that is the supreme felicity"* [TMQ Taubah: 88-89]

And

﴿التَّائِبُونَ الْعَابِدُونَ الْحَامِدُونَ السَّائِحُونَ الرَّاكِعُونَ السَّاجِدونَ الآمِرُونَ بِالْمَعْرُوفِ وَالنَّاهُونَ عَنِ الْمُنكَرِ وَالْحَافِظُونَ لِحُدُودِ اللّهِ وَبَشِّرِ الْمُؤْمِنِينَ﴾

"Those who turn (to Allah) in repentance, who serve and praise Him, who go forth in the cause of Allah, who bow down and prostrate themselves, who enjoin the good and forbid the evil, and who observe the limits of Allah; so give glad tidings to the believers." [TMQ Taubah: 112]

The Formation of Personality

When man recognises or comprehends things in a particular manner, he acquires a specific *'aqliyya* (mentality). When the drives for satisfaction which have crystallised through their inevitable association with the *mafahīm* (concepts) about things are linked by man with specific concepts about life, he achieves a specific *nafsiyya* (disposition). And when his concepts about life unite in judging things when he cognises them as well as when he inclines towards things, he achieves a specific *shakhsiyya* (personality). Thus *shakhsiyya* (personality) is the setting of the direction one takes in cognising things and in inclining to them in a clear direction built on one basis. Thus the formation of the *shakhsiyya* (personality) is the establishment of one basis for both thinking and inclinations in man. Such a basis may be one or multiple. If it is multiple, that is, if multiple guidelines were made the basis for thinking and inclinations, one would have a *shakhsiyya* (personality) but it would have no colour to it. If the standard was singular, that is, if one principle was made the basis for thoughts and inclinations, one would have a unique personality with a specific colour. This is what every human being should be like, and this is what he should endeavour to achieve in the process of teaching and culturing individuals.

Although any general idea can be a basis for thinking and inclinations, such an idea can only be a basis for a limited number of things, not for all things. Nothing qualifies to be a complete basis for all things except a comprehensive idea about the Universe, Man and Life. This is because it is the intellectual basis upon which every thought is built; it determines every viewpoint in life. And because it is the intellectual creed only which is fit to serve as a basis upon which thoughts which regulate life's matters and affect man's conduct in life.

Nonetheless, the fact that the comprehensive idea, that is, the intellectual *'aqīdah* (creed), is acceptable as the only general and comprehensive basis for thinking and inclinations does not mean that it is the correct basis. What it means is that it is fit to be a basis, irrespective of whether it is correct or incorrect. The determining factor of whether this basis is right or wrong is its degree of compatibility with man's *fitrah* (innate nature). If the intellectual creed is compatible with man's *fitrah* (innate nature) it would be a correct creed and consequently it would be a correct basis for thinking and inclinations, that is, for the formation of *shakhsiyya* (personality). If incompatible with man's *fitrah*, this represents an incorrect basis and would be a false creed. The incompatibility of such an *'aqīdah* (creed) with the human *fitrah* means recognition of the natural impotence of man and the need of dependency on the Creator that lies within man's *fitrah*, meaning its compatibility with the *ghareezat at-tadayyun* ((human) instinct of sanctification).

The Islamic *'aqīdah* (creed) is the only intellectual creed that acknowledges what is in man's *fitrah*, namely the *ghareezat at-tadayyun* (instinct of sanctification). All other creeds are either compatible with the *ghareezat at-tadayyun* (instinct of sanctification) through emotion not ration, thus being non-intellectual creeds or they are intellectual creeds but do not acknowledge what is in man's *fitrah*, the *ghareezat at-tadayyun* (instinct of sanctification).

Therefore, the Islamic '*aqīdah* is the only correct *'aqīdah* (creed). It is the only *'aqīdah* (creed) that is fit to be the correct basis for thinking and inclinations. Hence, it is imperative that the formation of *shakhsiyya* (personality) by man be done through the use of the intellectual *'aqīdah* (creed) as the basis for his thought and inclinations. Since the Islamic *'aqīdah* (creed) is the only correct intellectual *'aqīdah* (creed) and thus the only correct basis, it is imperative that the formation of *shakhsiyya* (personality) be done by making the Islamic *'aqīdah* (creed) alone the sole basis for man's thought and inclinations until he achieves an Islamic *shakhsiyya* (personality), a lofty and distinct *shakhsiyya* (personality). Thus, the formation of the Islamic *shakhsiyya*

(personality) is only accomplished by building both thought and inclinations of the individual upon the Islamic *'aqīdah* (creed). Yet this formation is not ever lasting, it is merely the formation of the *shakhsiyya* (personality). There is no guarantee that this *shakhsiyya* (personality) will remain based on the Islamic *'aqīdah* (creed) since deviation from the *'aqīdah* (creed) may occur in man's thinking or in his inclinations. This deviation may be in the form of *dhalaal* (misguidance) or in the form of *fisq* (transgression). Therefore, constant observance at every moment in one's life is required in maintaining the Islamic *'aqīdah* (creed) as the basis upon which thought and inclinations are built in order for one to remain an Islamic *shakhsiyya* (personality). After the formation of this personality, work is focused on developing and strengthening it by developing the '*aqliyya* (mentality) and *nafsiyya* (disposition). As for the *nafsiyya* (disposition), it is developed through worshipping the Creator and drawing nearer to Him through acts of obedience and by constantly building every inclination towards anything only on the Islamic *'aqīdah* (creed). Development of the '*aqliyya* (mentality) on the other hand is achieved by the explanation of thoughts and ideas built on the Islamic *'aqīdah* (creed) and conveying them through the Islamic culture.

This is the method for forming the Islamic *shakhsiyya* (personality) and the method for developing it. It is the method employed by the Messenger ﷺ. He would call the people to Islam by calling them to (adopt) the Islamic *'aqīdah* (creed). Once they had embraced Islam he strengthened this *'aqīdah* (creed) in them and ensured that they were committed to building their thinking and inclinations on its basis, This has been reported in the *hadīth*,

﴿لا يؤمن أحدكم حتى يكون هواه تبعا لما جئت به﴾

"None of you shall believe until his desires become in accordance with that which I have brought you",

[Narrated by Abu Nu'aym and Nasr ibn Ibrahim al-Maqdisi and rigourously authenticated by them, as well as by al-Nawawi]

And,

﴿لا يؤمن أحدكم حتى أكون أحب إليه من والده وولده والناس أجمعين﴾

"None of you shall believe until I become more beloved to him than his father, his son and all the people", [Narrated by the two *Shaykhs*]

He ﷺ then proceeded to convey the *ayāt* of Allah ﷻ that were being revealed to him from the Qur'ān and and to teach Islam and its *ahkām* (rules) to the Muslims. As a result of his efforts, and through following him and adhering to what he conveyed, lofty Islamic personalities second only to those of prophets were formed.

In conclusion, the starting point with any human being is establishing the correct *'aqīdah* (creed) within him followed by the building of thought and inclinations upon it and finally exerting effort in maintaining it through the performance of acts of obedience and by acquiring (Islamic) thoughts.

Gaps in Conduct

Many Muslims perform actions in discord with their Islamic *'aqīdah* (creed) and many Islamic personalities may display behaviour contradicting their Islamic personalities. Some (people) believe that such actions and behavior clearly incompatible with the Islamic *'aqīdah* (creed) would take the person out of Islam and would therefore divest him from his Islamic *shakhsiyya* (personality).

The truth is that any gap in the conduct of a Muslim does not divest him from his Islamic *shakhsiyya* (personality). This is because he may inadvertently fail to associate his concepts with his *'aqīdah* (creed) or he may be ignorant of the contradiction between such concepts and his *'aqīdah* (creed) or his Islamic *shakhsiyya* (personality) or *Shaytān* (Satan) may influence his heart and thus cause him to distance himself from this *'aqīdah* (creed) in one of his acts, so he might act in a manner that is incompatible with his *'aqīdah* (creed) or that contradicts the attributes of a Muslim adherent to his *deen* (way of life) or go against the commands of Allah ﷻ and His ﷻ prohibitions. He may do all or some of this whilst still embracing the *'aqīdah* (creed) and employing it as the basis for his thought and inclinations. Thus it is incorrect in such cases to say that the person has left Islam or that he has become a non-Islamic *shakhsiyya* (personality). As long as he embraces the Islamic *'aqīdah* (creed) he remains a Muslim even if he is disobedient in an act amongst the acts. As long as he adopts the Islamic *'aqīdah* (creed) as the basis for his thought and inclinations he is an Islamic *shakhsiyya* (personality) even if he trangresses in a specific conduct from amongst the totality of his behaviour. What matters is the embracing of the *'aqīdah* (creed) and the adopting of it as the basis for thought and inclinations, even though there may be shortfalls in acts and conduct.

A Muslim is not ostracized from Islam unless he abandons the Islamic *'aqīdah* (creed), by speech or by action, nor is he divested of his Islamic personality unless he distances himself from the Islamic *'aqīdah* (creed) in his thinking and inclinations, that is, he does not take it as a basis for his thought and inclinations. If he distances himself from it, he is no longer an Islamic *shakhsiyya* (personality). If he does not distance himself from it he remains an Islamic *shakhsiyya* (personality). Therefore, one can be a Muslim because he does not deny the Islamic *'aqīdah* (creed), but in spite of being a Muslim he is not an Islamic *shakhsiyya* (personality). This is because despite his embracement of the Islamic *'aqīdah* (creed) he does not take it as a basis for his thinking and inclinations. The association or linking of concepts with the Islamic *'aqīdah* (creed) is not a mechanical association such that the concept does not function except in accordance with the *'aqīdah* (creed). Rather it is a voluntary association (*ijtimā'i*), having the capacity of separation and restoration.

It should not be surprising then that a Muslim commits an act of disobedience violating the commands and prohibitions of Allah ﷻ in one of his acts. He may see the reality as being unsuitable for associating (in that instance) his behaviour with the *'aqīdah* (creed) or he may imagine that it was in his interest to do what he did and then feel remorse and comprehend the error of what he did and return to Allah ﷻ. Such a violation of Allah's commands and prohibitions does not indicate absence of his *'aqīdah* (creed) but it does indicate absence of his commitment to the *'aqīdah* (creed) in this specific act. Thus a disobedient person [*aasi*] or a trangressor [*fāsiq*] is not considered as an apostate, rather he is a disobedient Muslim only in the act in which he was disobedient, and he is punished for this act only. He remains a Muslim as long as he embraces the Islamic *'aqīdah* (creed). So it should not be said that he is a non-Islamic *shakhsiyya* (personality) for the mere instance when he erred inadvertently, or when he was overwhelmed by the *Shaytān* (Satan), as long as his adoption of the Islamic *'aqīdah* (creed) as a basis for his thinking and his inclinations is intact and free of any doubt.

Several incidents occurred (even) among the *Sahābah (*Companions) ﷺ in the time of the Messenger ﷺ when a companion would violate some commands or prohibitions. Such violations did not remove him from Islam nor did they adversely affect his Islamic *shakhsiyya* (personality). This is because they were humans and not angels. They were like other people and they were not infalliable (*ma'sūm*: lit. protected (against sin)) because they were not prophets. So Hatib ibn Abi Balta'ah conveyed to the *kuffār* (disbelievers) of Quraysh the news of the Messenger's intention to invade them, whilst the Messenger ﷺ was cautious to maintain the secrecy of the invasion; and when the Messenger ﷺ turned the head of al-Fadl Ibn al-'Abbas when he ﷺ saw him gazing, in a manner indicating inclination and desire, at a woman who was talking to the Messenger ﷺ. In the year of the conquest (of Makkah), the Ansār spoke about the Messenger ﷺ that he would abandon them and return to his kinsfolk despite his vow not to do so. The senior *Sahābah* (Companions) ﷺ fled the fight at Hunayn and left the Messenger ﷺ with only a few of his *Sahābah* Companions ﷺ. These are only some of the incidents which occurred yet the Messenger ﷺ did not consider them as undermining to the Islam of the perpetrators or blemishing to their Islamic *shakhsiyya* (personality).

This alone is sufficient as evidence that gaps which occur in conduct do not take the Muslim outside the fold of Islam, nor do they divest him of his Islamic *shakhsiyya* (personality). Yet this does not imply the permissibility of disobeying the commands of Allah ﷻ and His ﷻ prohibitions. That doing so is either *haram* (prohibited) or *makrūh* (reprehensible) is a matter beyond any doubt. Nor does this imply that an Islamic personality is free not to conform to the attributes of a Muslim committed to his *deen* (way of life), since this (commitment) is indispensable for the formation of an Islamic *shakhsiyya* (personality). What it does imply is that Muslims are humans and that Islamic personalities are humans, not angels. Thus if they err they are to be treated in accordance with the dictates of Allah's rule if their fault is punishable, and it cannot be said that they have become non-Islamic personalities.

The criterion for judging whether a Muslim holds an Islamic *Shaksiyyah* is the soundness of his Islamic *'aqīdah* (creed) and the building of his thoughts and inclinations upon it. As long as the basis is sound and the building of thought and inclinations are exclusively on the Islamic *'aqīdah* (creed), rare inadvertent errors, that is, gaps in conduct do not compromise a Muslim's Islamic *shakhsiyya* (personality). But if the *'aqīdah* (creed) becomes flawed, this removes the person from Islam, even if his deeds are built on the *ahkām* (rules) of Islam, because in that case they would not be built on firm conviction [*i'tiqād*] but on other than firm conviction: either on habit or custom, on conformity to people, on the (perceived) benefit of such deeds or on other than that. If the building process becomes flawed due to the use of benefit or the intellect as the basis on which to build behaviour, the person would be a Muslim due to the soundness of his *'aqīdah* (creed), but he would not be an Islamic *shakhsiyya* (personality), even if he was among the carriers of the Islamic *Da'wah*, even if all his conduct is in conformity to the *ahkām* (rules) of Islam. This is because what makes one an Islamic personality is the building of thought and inclinations on the Islamic *'aqīdah* due to belief in it. To this end, it is imperative for those who love Islam and want it to be dominant and victorious but do not build their thinking on its thoughts and rules but rather on their own minds, interests or desires, to be wary of such a deed, because it distances them from being Islamic personalities; even if their *'aqīdah* (creed) is intact and even if they were highly knowledgeable of the thoughts and *ahkām* (rules) of Islam. Of that which is imperative to draw attention to is the fact that embracing the Islamic *'aqīdah* (creed) means belief in all that the Messenger ﷺ came with, as a whole, and in that which is established by definitive [*qat'i*] evidence, and that the acceptance of all this be accepted with contentment and submission. It should be known that mere knowledge does not suffice and that rejecting even the most minor of matters proven definitively as part of Islam removes the person, and detaches him, from the *'aqīdah* (creed). Islam is an indivisible whole as fair as belief and acceptance is

concerned; relinquishment of (even) a part of it is entails disbelief [*kufr*]. Hence the belief in the separation of the *deen* from life or from the State is indisputable *kuf* (disbelief). Allah ﷻ says,

﴿إِنَّ الَّذِينَ يَكْفُرُونَ بِاللّهِ وَرُسُلِهِ وَيُرِيدُونَ أَن يُفَرِّقُواْ بَيْنَ اللّهِ وَرُسُلِهِ وَيقُولُونَ نُؤْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُونَ أَن يَتَّخِذُواْ بَيْنَ ذَلِكَ سَبِيلاً۞أُوْلَئِكَ هُمُ الْكَافِرُونَ حَقّاً﴾

"Verily those who deny Allah and His Messengers, and who wish to separate Allah from His Messengers, saying, 'We believe in some but reject others' and who wish to take a course midway, they are in truth disbelievers"
[TMQ Nisa': 150-151]

The Islamic *'Aqīdah*

The Islamic *'aqīdah* (creed) is *imān* (positive belief) in Allah ﷻ, His Angels, His Books, His Messengers and the Day of Resurrection and in *al-qadā' wa'l-qadar*, the favourable and unfavourable being from Allah ﷻ. The meaning of *imān* is definitive confirmation [*tasdeeq jazim*] which conforms to the reality and results from evidence, because confirmation which has no evidence is not *imān*. There can be no definitive confirmation except on the basis of evidence. Thus if there is no evidence there can be no definitiveness [*jazm*]; it will be confirmation only of a report from amongst the reports, and will not be considered *imān*. Hence, confirmation on the basis of evidence is indispensable for something to be definitive, that is, for it to constitute *imān*. The presence of evidence is thus indispensable for everything all that seeks to be (a part of) *imān*, making the presence of evidence a foundational condition for *imān*, irrespective of it being sound or corrupt.

Evidence [*dalīl*] can be either rational [*aqlī*] or textual [*naqlī*: lit. transmitted]. What determines the nature of the evidence is the subject to be examined to confirm whether or not the Muslim should have *imān* in it. If the subject is sensorially perceivable by the senses, its evidence will definitely be rational and not textual. If it is not sensorially perceivable then its evidence will be textual. Since the textual evidence itself is established through the senses, i.e, that it is evidence, it too falls under sense-perception. Then the categorisation of evidence as a textual proof fit for *imān* is invariably dependent upon proving it as evidence through rational proof.

Upon examining the matters that the Islamic *'aqīdah* (creed) demands *imān* in, one finds that *imān* in Allah ﷻ, is achieved through rational proof, because its subject: the existence of a Creator for the tangible perceivable beings, is perceivable and accessible by the senses. As opposed to this, *imān* in the angels is achieved through textual proof because the existence of angels cannot be appreciated by the senses, neither the angels themselves nor anything that indicates their existence is sensorially perceivable. As for *imān* in the Books, they are examined: if what is meant is *imān* in the Qur'ān, then its evidence is rational because the Qur'ān is sensorially-perceivable as is its miraculousness [*i'jāz*], in all ages. If it is *imān* in the other Books such as the *Taurāh*, the *Injīl* and the *Zabūr*, then its evidence is textual because the fact that these Books are (revelation) from Allah ﷻ is not perceiveable in all ages: it was only perceivable during the life of the Messengers to whom it was revealed, through the miracles they brought. These miracles terminated at the end of their time; i.e they are not (sensorially) perceivable after the time of those who accompanied them. Rather the report informing that they were from Allah ﷻ and were revealed onto the Messengers was transmitted. So their evidence is textual and not rational because of the intellect's inability to comprehend in all ages their miraculousness sensorially that they were the speech of Allah ﷻ.

Imān in all of the Messengers is comparable to this: the evidence for the *imān* in the Messenger Muhammad ﷺ is rational because the fact that the Qur'ān is the speech of Allah ﷻ and that it was conveyed to us by Muhammad ﷺ is accessible to the senses; thus one's perception of the Qur'ān leads to the realisation that Muhammad ﷺ is the Messenger of Allah ﷻ. This is viable in all ages and for all generations. As for the *Imān* in all the other Prophets, its evidence is textual because the evidence of their prophethood are their miracles which are not perceivable to other than those who lived in their times. As for those who came after them until the present and until the establishment of the Hour, they cannot perceive those miracles and thus no sensorially-perceivable proof of their prophethood is available regarding them; thus the evidence of their prophethood is not rational but textual. The evidence of the prophethood of our Master Muhammad ﷺ, his miracle, is perceivable by and accessible to the senses: the Qur'ān; thus the evidence is rational.

As for the evidence for the Day of judgement, it is textual, because the Day of Resurrection is not sensorially perceivable. Nothing accessible to the senses indicates it; thus no rational proof is available for it, rather its proof is textual. As for *al-qadā' wa'l-qadar* its evidence is rational because *al-qadā'* is associated with two matters: first, that which is determined of the existing system and its evidence is rational since it is linked with the Creator, and the second matter being man's action that originate from him or occur to him against his will. It is a thing accessible to the senses and is sensorially perceivable; thus its evidence is rational. *Al-qadar* is the attributes of things, activated by man, such as burning by fire and cutting of a knife. These attributes are accessible to the senses and are sensorially-perceivable. Thus the evidence of *al-qadar* is rational.

This has been regarding the type of evidence required for the Islamic *'aqīdah* (creed). As for the specific evidence for each element of the *'aqīdah* (creed), then the evidence for the existence of Allah ﷻ is exhibited in everything. That sensorially-perceivable comprehensible things exist is a definite matter. That these things are dependent on things other than themselves is also a definite matter. Thus that they are created by a Creator is a definite matter since their being in need means that they are created: their neediness indicates to the existence of something before them; so they are not eternal [*azalī*]. It should not be said here that a thing is dependent on some other thing, not on a 'non-thing', therefore things are complementary to each other but in their totality they are independent; this should not be said because the subject of the evidence here is a specific thing such as a pen, a jug or a piece of paper etc; the evidence is intended to prove that this pen or jug or piece of paper is created by a Creator. It is clear that the thing as it is, is dependent on something other than itself, irrespective of that 'other' on which it depends. That this 'other' on which the thing depends is other than the thing is definite through sensorial observation. When a thing is dependent on some 'other', it is established as not eternal: thus it is created. Nor should it be said that a thing as it is, is matter and is dependent on matter, thus being dependent on itself and not on something other than itself, and thus (in reality) is independent. This should not be said because even if we concede that a thing is matter and depends on matter, this dependence by matter is dependence on something other than matter not dependence on matter itself. This is so because an entity of matter alone cannot complement the dependence of another entity of matter; rather something other than matter is needed for this dependence to be complemented, and thus matter is dependent on something else and not on itself. For example, water in order to transform into vapour needs heat. Even if we conceded that heat is matter and water is matter, the mere availability of heat is not adequate for water to transform; a specific amount of heat is needed for transformation to take place. So water is dependent on this specific amount of heat. The magnitude of this amount is imposed by other than the water and other than the heat, that is, by other than matter, and matter is compelled to behave according to it. Thus matter is dependent on that which determines the magnitude for it and so it is dependent on other than matter. Hence the dependence of matter on non-matter is a definite fact; thus matter is needy, being created by a Creator. Therefore all sensorially perceivable comprensible things are created by a Creator.

The Creator has to be eternal with no beginning, because if He were not eternal, He would be a creation not a Creator; thus being a Creator invariably requires being eternal. The Creator is necessarily eternal. Upon examining the things that might be considered as being the Creator, it is clear that the only beings which could possibly be the Creator are Matter, Nature or Allah ﷻ.

As for matter being the Creator, then this is false because of what has been explained (above) that matter is dependent on the one who determines for it the proportions/magnitudes in order for the transformation of things to occur; hence it is not eternal and that which is not eternal cannot be a Creator. As for Nature being the Creator, then this too is false, because Nature is the collection of things and the system that regulates them such that every thing in the universe behaves in accordance with this system.

This regulation does not come from the system alone, because without the things to be regulated there would be no system. Nor does it come from the things because the mere existence of things does not inevitably and spontaneously result in a system; nor does their existence cause them to be regulated without a regulator. Nor does it come from the sum of the things and the system, because regulation does not happen except in accordance with a specific situation that compels both the system and the things. This specific situation of the things and the system is what makes regulation possible. The specific situation is imposed on the things and the system and regulation can happen only in accordance with it. It does not come from the things or from the system or from the sum of the two; hence it comes from something other than them. Thus Nature, which cannot function except in accordance with a situation that is imposed on it, is dependent, and thus it is not eternal and that which is not eternal cannot be a Creator. We conclude then that the Creator is He who has a necessary attribute of being Eternal. He is Allah ﷻ.

The existence of Allah ﷻ then is perceivable and comprehensible by way of the senses, because the dependence on the Eternal by the perceivable comprehensible things indicates the existence of the Creator. When man deeply reflects on the creatures of Allah ﷻ and examines closely the universe and attempts to comprehend time and place, he will see that he is a very minuscule particle in relation to these animated worlds. He will also see that these many worlds are all functioning in accordance with specific ways and established laws; from this he will fully realise the existence of this Creator and comprehend His Unity and His Grandeur and Capability shall be made plain to him. He will realise that all he witnesses of the contrast between day and night, of the change of the winds, the existence of the seas, rivers and celestial orbits, are nothing but rational proofs and expressive signs of the existence of Allah ﷻ and of His Unity and Power.

He ﷻ says,

﴿إِنَّ فِي خَلْقِ السَّمَاوَاتِ وَالأَرْضِ وَاخْتِلاَفِ اللَّيْلِ وَالنَّهَارِ وَالْفُلْكِ الَّتِي تَجْرِي فِي الْبَحْرِ بِمَا يَنفَعُ النَّاسَ وَمَا أَنزَلَ اللّهُ مِنَ السَّمَاءِ مِن مَّاء فَأَحْيَا بِهِ الأَرْضَ بَعْدَ مَوْتِهَا وَبَثَّ فِيهَا مِن كُلِّ دَآبَّةٍ وَتَصْرِيفِ الرِّيَاحِ وَالسَّحَابِ الْمُسَخَّرِ بَيْنَ السَّمَاء وَالأَرْضِ لآيَاتٍ لِّقَوْمٍ يَعْقِلُونَ﴾

"Behold! In the creation of the Heavens and the Earth, in the alteration of the Night and the Day, the ship which sails upon the sea with that which is of use to man, the water which Allah sends down from the sky, thereby reviving the earth after its death, and dispersing all kinds of beasts therein, and (in) the ordinance of the winds, and the clouds obedient between Heaven and Earth: are signs for people who have sense."

[TMQ Baqarah: 164]

And,

﴿أَمْ خُلِقُوا مِنْ غَيْرِ شَيْءٍ أَمْ هُمُ الْخَالِقُونَ۞أَمْ خَلَقُوا السَّمَاوَاتِ وَالْأَرْضَ بَل لَّا يُوقِنُونَ﴾

"Were they created of nothing, or are they themselves the Creators? Or did they create the Heavens and the Earth? Nay! They have no (firm) conviction."

[TMQ Tur: 35-36]

Thus it is the intellect which comprehends the existence of Allah ﷻ and it is the means taken to arrive at *imān*. Hence Islam obligated the use of the intellect and deemed it the evidence [*hakm*] regarding *imān* in the existence of Allah ﷻ. Thus the proof of the existence of Allah ﷻ is rational.

As for those who advocate the timelessness [*qadm*] of the world and that it is eternal with no beginning, and those who claim that matter is eternal, having no beginning; they say that the

world is not dependent on other than itself but is self-sustained because all the things that exist in this world are (simply) different forms of matter; they are all matter. The dependence of some part of it upon another part is not (in reality) dependence. When something depends on itself this is not dependence but independence from other than itself. Thus matter is eternal, having no beginning, because it is self-sustained, that is, the world is eternal, self-sustained and independent of other than itself.

The answer to that is twofold: first, the things that exist in this world do not have the capability of creating or originating (anything) from nothing, whether individually or collectively; the 'thing' is incapable of creating or originating from nothing. If another thing complements it in one or more aspects, it will still be, together with the other thing or things, incapable of creating or originating. Its inability to create or originate from nothing is clearly perceivable. This means that it is not eternal, because an eternal (thing) must not be characterised with incapability; it must be characterised with ability to create and originate from nothing, that is, the effected things must depend on it in order for it to be deemed eternal. Consequently, the world is not eternal nor is it timeless because it is incapable of creating or originating. The inability of something to create from nothing is definite evidence that it is not eternal.

Second, is what we have affirmed that a thing is dependent on a specific magnitude that it cannot surpass in the process of complementing the need of another. The explanation of this follows. If A is dependent on B and B is dependent on C and C is dependent on A and so forth, their dependence on one another is evidence that each one of them is not eternal; the complementing of one to the other or the satisfication of the need of another does not occur in an unregulated manner but in accordance with a specific proportion, that is, in accordance with a specific order. The fact that it cannot fulfill this complementation except in accordance with this order and that it is incapable of functioning against it indicates that the thing which complements does not complement solitarily but complements according to an order imposed on it and compelled to conform to it by other than itself. Thus the thing which complements and that which it complemented are both dependent on that which determined for them the specific order by which the complementation is to occur. Both of them are incapable of functioning against this order, nor can the satisfaction of the need occur except in accordance with this order. Hence, that which imposed the order on both of them is the one which they need. Thus things collectively, even though complementing each other, remain in need of other than themselves, that is, in need of that what compelled them to conform to the specific order. For example water in order for it to transform into ice, needs heat; so they say that water is matter, temperature is matter and ice is matter; thus in order for matter to transform into another form, it is in need of matter, that is, in need of itself and not other than itself; the reality is contrary to this. Indeed for water to transform into ice, it needs a heat of a specific temperature not simply heat. Heat is one thing and the property of water that it does not change except at a certain level of heat is another, being different from heat itself. That is, the magnitude (of required temperature) imposed on heat in order to effect and for water to be affected does not come from water; otherwise it would have chosen to be affected as it wanted. It does not come from temperature either; otherwise it would have chosen its effect as it wanted. That is, it does not come from matter itself; otherwise it would have chosen to effect and be affected as it wanted. It has to come from something other than matter. Hence, matter needs that which determines for it the specific magnitude that it needs in order to effect or be affected. That which determines the magnitude for it is one other than it. So matter is dependent on other than itself, thus it is not eternal because that which is eternal and timeless does not need anything other than itself: it is independent of others; all things depend on it. Therefore the lack of independence of matter is definite evidence that it is not eternal and it is thus created.

One glance at the universe will make any human realise that the formation of things, whether they be of the type that occupy space or of the energy type, can only result from sensorially perceivable, comprehensible things and a specific order between these things in order for the formation to occur. There is no object in this world which was formed from nothing, nor is anything formed without being regulated by a specific magnitude [*nasbah*] and in conformity with it. That is, nothing in this world is formed out of nothing or without proportion, that is, without a specific order. Thus things that are formed and those that form in this world are not eternal or unending. As for the things which form then this is clear in that they are formed from sensorially perceivable comprehensible things and that in the process of being formed they were subject to a specific magnitide that was imposed on them. As for those things which are formed then this is clear in their inability to form from nothing and also in their submission against their will to a certain order that is imposed on them. This order does not come from them, otherwise they would be capable of departing from it and of not submitting to it; therefore it comes from other than them. Thus the inability of the sensorially perceivable comprehensible things in the world, that is, the inability of the world to form (create) from nothing and their submission to a specific order that comes from other than themselves is definite evidence that the world is not eternal or interminable but it is created by the Eternal and Timeless.

As for those who say that creating is proportioning and conditioning and thus deny the existence of the Creator, (who creates) from nothing, then the meaning of this is that the sensorially perceivable, comprehensible things and the specific order that is imposed on them are the ones who create, because proportioning and conditioning cannot take place except in the presence of a tangible sensorially perceivable, comprehensible thing and a specific order that comes from someone other than this thing. This entails that creating comes from these two things: the sensorially perceivable, comprehensible things and the specific order, and thus they are the creators. This is what is entailed by the saying that creating is proportioning and conditioning; and it is definitely false. This is because the specific order does not come from the things or from itself, but it is imposed on the things by other than themselves, which is not sensorially perceivable.

Thus it is clear that proportioning and conditioning is not creating, because it is not possible for formation to be completed/achieved solely by that: rather the existence of something which is not sensorially perceivable or tangible, which imposes a specific order for the sensorially perceivable, comprehensible things, is indispensable for creation to happen. From this it is apparent that proportioning and conditioning is not creation and that it is not possible for creation to take place with these only.

If the Creator did not create the sensorially perceivable, comprehensible (things) from nothing, he would not be the Creator, because he would be incapable of creating things on the basis of his will alone; he would rather be subject to requiring some thing with him with which he can form (things). He would thus be incapable and not eternal, because he is incapable of creating (things) by himself, rather is needy of external support: and the one who is incapable and who needs (something) is not eternal. In addition, as a matter-of-fact, the meaning of the 'Creator' is the one who creates (something) from nothing. The meaning of being a Creator is that things rely on him for their existence, and that He does not rely on anything. If he did not create things from nothing, or was incapable of creating when (other) things did not exist, he would be dependent on things in creating (things), then the things would not be solely dependent on him. This means that he is not the sole Creator and thus not a Creator (at all). So, a Creator must create things from nothing in order for him to be a Creator and has to be characterised with capability and will, independent of any thing; He should not depend on anything, and things should depend on him for their existence. Hence, for formation to be creation it must be formation from nothing, and for the one who forms to be a Creator, he must form from nothing.

As for the evidence of *imān* in the angels, it is textual; Allah ﷻ says,

﴿شَهِدَ اللّهُ أَنَّهُ لاَ إِلَهَ إِلاَّ هُوَ وَالْمَلاَئِكَةُ وَأُوْلُواْ الْعِلْمِ قَآئِماً بِالْقِسْطِ﴾

"Allah witnesses that there is deity save He; as do the angels and those endued with knowledge, standing firm on justice" [TMQ-Imrān: 18]

And

﴿وَلَكِنَّ الْبِرَّ مَنْ آمَنَ بِاللّهِ وَالْيَوْمِ الآخِرِ وَالْمَلآئِكَةِ وَالْكِتَابِ وَالنَّبِيِّينَ﴾

"Rather, righteousness is to believe in Allah and the Last Day, the angels, the Book and the Messengers..." [TMQ-Baqarah: 177]

And

﴿وَالْمُؤْمِنُونَ كُلٌّ آمَنَ بِاللّهِ وَمَلآئِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ﴾

"And the believers: each one (of them) believes in Allah, His angels, His books, and His messengers..." [TMQ-Baqarah: 286]

And

﴿وَمَن يَكْفُرْ بِاللّهِ وَمَلآئِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ وَالْيَوْمِ الآخِرِ فَقَدْ ضَلَّ ضَلاَلاً بَعِيداً﴾

"And whosoever denies Allah, His angels, His books, His messengers, and the Last Day, has gone far, far astray" [TMQ-Nisā': 136]

Regarding the evidence of *imān* in the Books, the case of the Qur'ān is different from all other revealed Books. The evidence that the Qur'ān is (revealed) from Allah ﷻ and that it is the speech of Allah ﷻ is a rational evidence. This is because the Qur'ān is a sensorially perceivable reality and the intellect can comprehend the fact that it is (revealed) from Allah ﷻ. The Qur'ān is Arabic speech in its words and sentences. The Arabs did produce discourse. From it is poetry in its various types and from it is prose in its various types. Their discourse is preserved in books and had been memorised and transmitted from generation to generation. Thus the Qur'ān is either from their modes of expression, being uttered by an eloquent Arab, or it is from a different mode of expression, having being expressed by someone other than the Arabs. The Arabs are either capable of producing the like of it or are incapable of this despite the fact that it is an Arabic discourse. If the Arabs produced the like of it then they are capable of bringing the like of it and it would be the speech of humans like themselves. If they failed to produce the like of it despite the fact that it is an Arabic discourse and that they were the most well-versed in the Arab tongue and the most eloquent of the Arabs, it would not be the speech of humans. Upon examining the Qur'ān and the discourse of the Arabs, one finds the Qur'ān to be a unique mode of expression, unprecedented by anything the Arabs have said. They never produced anything that belonged to the category of the Qur'ān, neither before its revelation, nor after it, not even by way of imitation or parody of its style. This proves that it was not the Arabs who produced this discourse and thus it is the discourse of other than them. It has been established through concurrent transmission [*tawātur*] which bespeaks definiteness and certainty that the Arabs were incapable of producing the like of the Qur'ān although it challenged them to do so. The Qur'ān addressed them:

﴿وَإِن كُنتُمْ فِي رَيْبٍ مِّمَّا نَزَّلْنَا عَلَى عَبْدِنَا فَأْتُواْ بِسُورَةٍ مِّن مِّثْلِهِ وَادْعُواْ شُهَدَاءكُم مِّن دُونِ اللّهِ إِنْ كُنْتُمْ صَادِقِينَ﴾

"And if you are in doubt concerning what We have revealed unto Our slave, then produce a chapter of the like thereof; and call your witnesses (if there are any) besides Allah, if you are truthful" [TMQ-Baqarah: 23]

And

﴿أَمْ يَقُولُونَ افْتَرَاهُ قُلْ فَأْتُواْ بِسُورَةٍ مِّثْلِهِ وَادْعُواْ مَنِ اسْتَطَعْتُم مِّن دُونِ اللّهِ إِن كُنتُمْ صَادِقِينَ﴾

"Or do they say, 'He forged it!' Say: 'Bring you then a chapter like unto it, and call (to your aid) whomsoever you can besides Allah, if it be you speak the truth!'"

[TMQ Yunus: 38]

And

﴿أَمْ يَقُولُونَ افْتَرَاهُ قُلْ فَأْتُواْ بِعَشْرِ سُوَرٍ مِّثْلِهِ مُفْتَرَيَاتٍ وَادْعُواْ مَنِ اسْتَطَعْتُم مِّن دُونِ اللّهِ إِن كُنتُمْ صَادِقِينَ﴾

"Or do they say, 'He forged it!' Say, 'Bring you then ten chapters like unto it, forged, and call (to your aid) whomsoever you can besides Allah if you speak the truth!'"

[TMQ Hud: 13]

﴿قُل لَّئِنِ اجْتَمَعَتِ الإِنسُ وَالْجِنُّ عَلَى أَن يَأْتُواْ بِمِثْلِ هَذَا الْقُرْآنِ لاَ يَأْتُونَ بِمِثْلِهِ وَلَوْ كَانَ بَعْضُهُمْ لِبَعْضٍ ظَهِيراً﴾

"Say: 'If mankind and Jinn combined (efforts) to produce the like of this Qur'ān they could not produce the like thereof, even if they backed up each other with help and support'" [TMQ-Isrā': 88]

Despite this stark challenge they failed to produce the like of it. If it is proved that the Qur'ān was not produced by the Arabs and that the Arabs failed to produce the like of it, then the Qur'ān is proved to have come from Allah ﷻ and that it is the speech of Allah ﷻ. This is because it is impossible for any one other than the Arabs to have produced it, because it is an Arabic discourse, and because it rendered the Arabs incapable (of matching it). It should not be said that it is the speech of Muhammad ﷺ since Muhammad ﷺ is one of the Arabs, and if the Arabs as a genius are proved incapable, then he ﷺ himself is proved incapable because he is one of the Arabs.

Moreover, everyone is subject to the mode of expression, with respect to words and sentences, prevailing in his age or by the discourse reported from those who came before him. When being creative in expression, he only uses words and expressions to convey novel meanings or in new figures of speech; it is not possible for him to express (the like of) what has not preceded him or he has never sensed. It is evident in the style of the Qur'ān that the expression in it with respect to the words and sentences was not known by the Arabs in the time of the Prophet ﷺ nor before his time.

As a human being, it is impossible for him to have produced the like of something that he had not sensed, because this is a rational impossibility. It is impossible for the Qur'ānic mode of expression with respect to words and sentences to have been produced by Muhammad ﷺ since he had not sensed it. Hence, the Qur'ān is the speech of Allah ﷻ and Muhammad ﷺ came with it from Allah ﷻ. This was proved rationally when the Qur'ān was revealed and it is proved rationally now because it continues to render human beings incapable of bringing the like of it. This incapability is proved sensorially and is sensorially comprehensible for all mankind.

In conclusion, the only conceivable source of the Qur'ān is either the Arabs or Muhammad ﷺ or Allah ﷻ, because the Qur'ān is wholly Arabic and thus could not have come from any other than these three. As for it being from the Arabs, than this is false because they were incapable of producing the like of it and they confessed their incapability in doing so. They have until this day continued to be incapable of producing the like of it; this proves that it did not come from the Arabs. Thus it is either from Muhammad ﷺ or from Allah ﷻ. As for it being from Muhammad

ﷺ than this is false because Muhammad ﷺ himself is an Arab and whatever the height of his genius a person is, he can never surpass his age. Thus if the Arabs were incapable, then Muhammad ﷺ was incapable; he is one of them. Moreover, *ahadīth* with concurrent transmissions have been narrated from Muhammad ﷺ, for example his saying ,

﴿مَنْ كَذَبَ عَلَيَّ مُتَعَمِّدًا فَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ النَّار﴾

"He who intentionally reports something false concerning me, let him reside in his place in the fire," [Reported by al-Bukhari and Muslim]

If the speech of Muhammad ﷺ is compared with the Qur'ān, no similarity whatsoever is seen between the two, proving that the Qur'ān is not the speech of Muhammad ﷺ; it is the speech of Allah ﷻ.

It is noteworthy that all poets, writers, philosophers and thinkers from the sons of man commence in a style that has some weakness; their style gradually improves until they reach the peak of their potential. Thus their style fluctuates in strength and weakness, apart from the occurrence of some frivolous thoughts and trite expressions in their texts. Yet we find that the style of the Qur'ān from the day of the revelation of the first *ayah*,

﴿اقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ﴾

"Recite! In the name of your Lord and Cherisher, Who Created,"

[TMQ-Alaq: 1]

Until the day of the revelation of the last *ayah*,

﴿يَا أَيُّهَا الَّذِينَ آمَنُواْ اتَّقُواْ اللّهَ وَذَرُواْ مَا بَقِيَ مِنَ الرِّبَا إِن كُنتُم مُّؤْمِنِينَ﴾

"O you who believe! Fear Allah, and give up what remains of your demand for usury, if you are indeed believers." [TMQ-Baqarah: 278]

was uniformly at its peak with respect to eloquence and rhetoric, sublimity of thoughts and the vigour of expressions. You will never find in it a single trite expression or one frivolous thought; it is one homogeneous piece, to the smallest detail; its entirety is, in respect of style, just like a single sentence. This is the proof that it is not the speech of human beings, whose speech is susceptible to divergence in expressions and meanings, but it is indeed the speech of the Lord of the Worlds ﷻ.

This is regarding the Qur'ān as one of the revealed Books in which Islam requires *imān*. The proof of the other revealed Books is textual, not rational; Allah ﷻ says,

﴿يَا أَيُّهَا الَّذِينَ آمَنُواْ آمِنُواْ بِاللّهِ وَرَسُولِهِ وَالْكِتَابِ الَّذِي نَزَّلَ عَلَى رَسُولِهِ وَالْكِتَابِ الَّذِيَ أَنزَلَ مِن قَبْلُ﴾

"O you who believe! Believe in Allah and His Messenger and the Book which He has sent to His Messenger and the Book which He sent afore"

[TMQ-Nisā': 136]

And

﴿وَلَكِنَّ الْبِرَّ مَنْ آمَنَ بِاللّهِ وَالْيَوْمِ الآخِرِ وَالْمَلآئِكَةِ وَالْكِتَابِ وَالنَّبِيِّينَ﴾

"But it is righteousness to believe in Allah and the Last Day, and the Angels, and the Book, and the Messengers…" [TMQ-Baqarah: 177]

And

﴿وَأَنزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقاً لِّمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِناً عَلَيْهِ﴾

"To you We sent the Book in Truth, confirming that which came before it, and controlling over it" [TMQ-Ma'idah: 48]

And

﴿وَهَذَا كِتَابٌ أَنزَلْنَاهُ مُبَارَكٌ مُّصَدِّقُ الَّذِي بَيْنَ يَدَيْهِ﴾

"And this is a Book which We have sent down, bringing blessings, and confirming (the revelations) which came before it" [TMQ-An'ām: 92]

And

﴿وَمَا كَانَ هَذَا الْقُرْآنُ أَن يُفْتَرَى مِن دُونِ اللّهِ وَلَكِن تَصْدِيقَ الَّذِي بَيْنَ يَدَيْهِ﴾

"This Qur'ān is not such as can be produced by other than Allah; rather it is a confirmation of that which went before it," [TMQ Yunus: 37]

As for the evidence for the *imān* in the Messengers, the case of our Master Muhammad ﷺ differs from that of the other messengers. The proof of the prophethood of our Master Muhammad ﷺ is rational not textual because the proof of the truth of the claim of someone to prophethood or messengership - that he is a prophet or messenger - is the miracles he brings to support his claim; the *Sharī'ah* he brings is supported by these miracles. The miracle of our Master Muhammad ﷺ which proves his prophethood and message is the Qur'ān; the *Sharī'ah* he came with is the Qur'ān which in itself is a miracle and continues till now to be so. Since it is established through concurrent transmission [*tawātur*], which is a definite and decisive proof, that Muhammad ﷺ is the one who brought the Qur'ān, and that the Qur'ān is the *Sharī'ah* of Allah ﷻ and that none brings the *Sharī'ah* of Allah ﷻ except the Prophets and Messengers, this is therefore a rational evidence that Muhammad ﷺ is a Prophet and a Messenger from Allah ﷻ.

As for the miracles of the rest of the prophets, they have terminated and ceased to exist. The Books we have today have no rational evidence to prove that they come from Allah ﷻ because the miracles that prove this have terminated and ceased to exist. There is no rational proof to prove the prophethood of any messenger or prophets from amongst the Prophets, except our Master Muhammad ﷺ. Rather their prophethood and messengership is established through textual evidence; Allah ﷻ says:

﴿آمَنَ الرَّسُولُ بِمَا أُنزِلَ إِلَيْهِ مِن رَّبِّهِ وَالْمُؤْمِنُونَ كُلٌّ آمَنَ بِاللّهِ وَمَلآئِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ لاَ نُفَرِّقُ بَيْنَ أَحَدٍ مِّن رُّسُلِهِ﴾

"The Messenger believes in what has been revealed to him from his Lord, as do the believers; each one (of them) believes in Allah, His angels, His Books, and His Messengers; We make no distinction (they say) between one and another of His Messengers" [TMQ-Baqarah: 285]

And

﴿قُولُواْ آمَنَّا بِاللّهِ وَمَا أُنزِلَ إِلَيْنَا وَمَا أُنزِلَ إِلَى إِبْرَاهِيمَ وَإِسْمَاعِيلَ وَإِسْحَاقَ وَيَعْقُوبَ وَالأَسْبَاطِ وَمَا أُوتِيَ مُوسَى وَعِيسَى وَمَا أُوتِيَ النَّبِيُّونَ مِن رَّبِّهِمْ لاَ نُفَرِّقُ بَيْنَ أَحَدٍ مِّنْهُمْ وَنَحْنُ لَهُ مُسْلِمُونَ﴾

"Say: 'We believe in Allah, and in that which has been sent down to us, and that which was sent down to Ibrāhim, Ismā'il, Is'hāq, Ya'qūb, and the Tribes, and that which was given to Mūsa and 'Isā, and that which

was given to (all) the Prophets from their Lord: *we make no difference between any of them and we submit to Allah"*

[TMQ-Baqarah: 136]

As for the evidence for the *imān* in the Last Day - the Day of Resurrection – it is textual evidence and not rational evidence because the Day of Resurrection is not perceivable by the mind. Allah ﷻ says,

﴿وَلِتُنذِرَ أُمَّ الْقُرَى وَمَنْ حَوْلَهَا وَالَّذِينَ يُؤْمِنُونَ بِالآخِرَةِ يُؤْمِنُونَ بِهِ...﴾

"…and so that you may warn the Mother of Cities and her surroundings; and those who believe in the Hereafter, believe in it (this Qur'ān)…"

[TMQ-An'ām: 92]

And

﴿فَالَّذِينَ لاَ يُؤْمِنُونَ بِالآخِرَةِ قُلُوبُهُم مُّنكِرَةٌ وَهُم مُّسْتَكْبِرُونَ﴾

"...so those who believe not in the Hereafter, their hearts refuse to know, and they are arrogant" [TMQ Nahl: 22]

And

﴿لِلَّذِينَ لاَ يُؤْمِنُونَ بِالآخِرَةِ مَثَلُ السَّوْءِ﴾

"…and those who believe not in the Hereafter, Thiers is the similitude of evil."

[TMQ Nahl: 60]

And

﴿وَأَنَّ الَّذِينَ لاَ يُؤْمِنُونَ بِالآخِرَةِ أَعْتَدْنَا لَهُمْ عَذَاباً أَلِيماً﴾

"And those who believe not in the Hereafter, We have prepared for them a Grievous Penalty"

[TMQ-*Isrā'*: 10]

And

﴿فَإِذَا نُفِخَ فِي الصُّورِ نَفْخَةٌ وَاحِدَةٌ ۞ وَحُمِلَتِ الْأَرْضُ وَالْجِبَالُ فَدُكَّتَا دَكَّةً وَاحِدَةً ۞ فَيَوْمَئِذٍ وَقَعَتِ الْوَاقِعَةُ ۞ وَانشَقَّتِ السَّمَاء فَهِيَ يَوْمَئِذٍ وَاهِيَةٌ ۞ وَالْمَلَكُ عَلَى أَرْجَائِهَا وَيَحْمِلُ عَرْشَ رَبِّكَ فَوْقَهُمْ يَوْمَئِذٍ ثَمَانِيَةٌ ۞ يَوْمَئِذٍ تُعْرَضُونَ لَا تَخْفَى مِنكُمْ خَافِيَةٌ ﴾

" Then when the Trumpet will be blown with one blowing (the first one). And the earth and the mountains shall be removed from their places, and crushed with a single crushing. Then on that Day shall the (Great) Event befall. And the heaven will be rent asunder, for that Day it (the heaven) will be frail and torn up. And the angels will be on its sides, and eight angels will, that Day, bear the Throne of your Lord above them. That Day shall you be brought to Judgement, not a secret of you will be hidden." [TMQ Hāāqah: 13-18]

And the Messenger of Allah ﷺ said,

﴿الإِيمَانُ أَنْ تُؤْمِنَ بِاللَّهِ وَمَلاَئِكَتِهِ وَكُتُبِهِ وَبِلِقَائِهِ وَرُسُلِهِ وَتُؤْمِنَ بِالْبَعْثِ﴾

"*Imān* is to have *imān* in Allah, His Angels, His Books, His summoning you to account, His messengers and to have *imān* in the Resurrection [*ba'th*],"

[Reported by al-Bukhari, Narrated by Abu Hurairah]

These are the matters that one must have *imān* in and they are five: *imān* in Allah ﷻ , His Angels , His Books, His Messengers and the Last Day, and to have *imān* also in *al-qadā'* and *al-qadar*. None is deemed to have belief (*imān*) in Islam or to be a Muslim unless he has *imān* in all of these five matters and also in *al-qadā'* and *al-qadar*.

Allah ﷻ says,

﴿يَا أَيُّهَا الَّذِينَ آمَنُواْ آمِنُواْ بِاللّهِ وَرَسُولِهِ وَالْكِتَابِ الَّذِي نَزَّلَ عَلَى رَسُولِهِ وَالْكِتَابِ الَّذِيَ أَنزَلَ مِن قَبْلُ وَمَن يَكْفُرْ بِاللّهِ وَمَلآئِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ وَالْيَوْمِ الآخِرِ فَقَدْ ضَلَّ ضَلاَلاً بَعِيداً﴾

"O you who believe! Believe in Allah and His Messenger and the Book which He has sent to His Messenger and the Book which He sent afore. And whosoever denies Allah, His angels, His books, His messengers, and the Last Day, has gone far, far astray" [TMQ-Nisā': 136]

The Qur'ān and the *hadīth* mention these five matters explicitly, clearly naming each of them and the meaning of each. The explicit and definitive mention by name and with meaning of the referent of *imān* in any other matter is not found, as it is found for these matters. The texts which are definitive [*qat'i*] both in their transmission and in their indication are found with these five matters, and none else.

It is true that *imān* in *al-qadar* was mentioned in the *hadīth* of Jibrīl, in some narrations of it, where it says,

﴿وَتُؤْمِنَ بِالْقَدَرِ خَيْرِهِ وَشَرِّهِ﴾

"…he said 'and that you believe in *al-qadar*, both the good and the bad of it...'",

Reported by Muslim, Narrated by Umar ibn al-Khattab ﷺ, but this *hadīth* is a solitary report [*khabr āhād*].

Moreover, what is intended here by '*al-qadar*' is the knowledge of Allah ﷻ, not the controversial issue of *al-qadā' wa'l-qadar*. The issue of *imān* in *al-qadā' wa'l-qadar* by this name and with the referent that is a subject of controversy was never mentioned in a definitive text. Yet the referent of the term is part of the *aqeedah* (creed) and *imān* in it is obligatory. It was never known by this name and with this referent at the time of the *Sahābah* (Companions)ﷺ; no rigourously authenticated [*sahīh*] text mentions it by this name and with this referent. Rather it became famous only at the beginning of the era of the *Tabi'īn*. It became known and became a subject of discussion since that time. Those who introduced it and made it a subject of discussion are the *Mutakallimūn* [Muslim Scholastics]. It never existed before the emergence of *'Ilm ul-Kalam* [Islamic Scholasticism], and was never discussed under this name '*al-qadā' wa'l-qadar*' and with the same referent except by the *Mutakallimūn* after the end of the first century *Hijri*.

The Meaning of *Imān* in the Day of Resurrection

Imān in the Day of Judgement is *imān* in the Resurrection. It is the time when the stay of the creation in this (worldy) life terminates. All those in it shall die, and then Allah ﷻ will resurrect the dead. He will revive their bones whilst they had become decomposed, restore the bodies to their previous state and return to them their souls. Allah ﷻ says,

﴿ثُمَّ إِنَّكُمْ يَوْمَ الْقِيَامَةِ تُبْعَثُونَ﴾

"Then, on the Day of Resurrection, shall you be raised up" [TMQ-Mu'minūn: 16]

And

﴿ذَلِكَ بِأَنَّ اللَّهَ هُوَ الْحَقُّ وَأَنَّهُ يُحْيِي الْمَوْتَى وَأَنَّهُ عَلَى كُلِّ شَيْءٍ قَدِيرٌ۝وَأَنَّ السَّاعَةَ آتِيَةٌ لَّا رَيْبَ فِيهَا وَأَنَّ اللَّهَ يَبْعَثُ مَن فِي الْقُبُورِ﴾

"That! Because Allah is the Reality: He it is Who gives life to the dead, and it is He who has power over all things. And the Hour is coming: there is no doubt about it, and Allah shall raise up all who are in the graves" [TMQ-Hajj: 6-7]

And

﴿قَالَ مَنْ يُحْيِي الْعِظَامَ وَهِيَ رَمِيمٌ۝قُلْ يُحْيِيهَا الَّذِي أَنشَأَهَا أَوَّلَ مَرَّةٍ ﴾

"He says, 'Who can revive (dry) bones and ones decomposed ?' Say, 'He shall revive them Who created them in the first instance'" [TMQ Yāsīn: 78-79]

And

﴿قُلْ إِنَّ الْأَوَّلِينَ وَالْآخِرِينَ۝لَمَجْمُوعُونَ إِلَى مِيقَاتِ يَوْمٍ مَّعْلُومٍ﴾

"Say: those of old and those of later times! All shall be gathered for the meeting appointed for a Day known." [TMQ Wāqi'ah: 49-50]

Part of *imān* in the Day of judgement is the *imān* in that people will be given their records. Allah ﷻ says,

﴿وَكُلَّ إِنسَانٍ أَلْزَمْنَاهُ طَآئِرَهُ فِي عُنُقِهِ وَنُخْرِجُ لَهُ يَوْمَ الْقِيَامَةِ كِتَاباً يَلْقَاهُ مَنشُوراً۝اقْرَأْ كِتَابَك﴾.

"Every man's fate We have fastened on his own neck: We shall bring out for him, on the Day of Resurrection, a scroll, which he will see spread open. (It will be said to him:) 'Read your (own) record…'". [TMQ Isrā': 13-14]

So the believers will be given their records in their right hands; as for the *kuffār* they shall be given them in their left hands and behind their backs. Allah ﷻ says,

﴿فَأَمَّا مَنْ أُوتِيَ كِتَابَهُ بِيَمِينِهِ۝فَسَوْفَ يُحَاسَبُ حِسَاباً يَسِيراً۝وَيَنقَلِبُ إِلَى أَهْلِهِ مَسْرُوراً۝وَأَمَّا مَنْ أُوتِيَ كِتَابَهُ وَرَاء ظَهْرِهِ۝فَسَوْفَ يَدْعُو ثُبُوراً۝وَيَصْلَى سَعِيراً﴾

"Then he who is given his Record in his right hand, soon will he be reckoned with an by an easy reckoning; and he will turn to his people, rejoicing. But he who is given his Record behind his back, soon will he cry for perdition: he will enter a Blazing Fire"

[TMQ Inshiqāq: 7-12]

And

﴿وَأَمَّا مَنْ أُوتِيَ كِتَابَهُ بِشِمَالِهِ فَيَقُولُ يَا لَيْتَنِي لَمْ أُوتَ كِتَابِيهْ۝وَلَمْ أَدْرِ مَا حِسَابِيهْ۝يَا لَيْتَهَا كَانَتِ الْقَاضِيَةَ۝مَا أَغْنَى عَنِّي مَالِيهْ۝هَلَكَ عَنِّي سُلْطَانِيهْ۝خُذُوهُ فَغُلُّوهُ۝ثُمَّ الْجَحِيمَ صَلُّوهُ۝ثُمَّ فِي سِلْسِلَةٍ ذَرْعُهَا سَبْعُونَ ذِرَاعاً فَاسْلُكُوهُ ﴾

"And he who is given his Record in his left hand, will say: *'Ah! Would that my record have not been given to me! Had I never realised how my account (stood)! Ah! Would that (Death) have made an end of me! Of no profit to me has been my wealth! My power has perished from me!' (The stern command will say)*: *'Seize you him, and bind and burn him in the Blazing Fire. Make him march in a chain, whereof the length is seventy cubits!'"*

[TMQ Hāāqah: 25-32].

Also part of *imān* in the Day of Resurrection is *imān* that *al-Jannah* [Paradise, lit. the Garden] is true and that *an-Nar* [Hell, lit. The Fire] is true. *Al-Jannah* is the abode created for the Believers, in which no *kāfir* can ever enter. Allah ﷻ says,

﴿وَجَنَّةٍ عَرْضُهَا السَّمَاوَاتُ وَالأَرْضُ أُعِدَّتْ لِلْمُتَّقِينَ﴾

"…a Garden whose width is that of the Heavens and the Earth, prepared for the righteous" [TMQ Imrān: 133]

And

﴿وَنَادَى أَصْحَابُ النَّارِ أَصْحَابَ الْجَنَّةِ أَنْ أَفِيضُواْ عَلَيْنَا مِنَ الْمَاء أَوْ مِمَّا رَزَقَكُمُ اللّهُ قَالُواْ إِنَّ اللّهَ حَرَّمَهُمَا عَلَى الْكَافِرِينَ﴾

"The Companions of the Fire will call to the Companions of the Garden: *'Pour down to us (some) of the water or that which Allah provides for you of sustenance.' They will say*: *'Allah has forbidden both for those who rejected Him.'"* [TMQ A'rāf: 50]

And

﴿تِلْكَ الْجَنَّةُ الَّتِي نُورِثُ مِنْ عِبَادِنَا مَن كَانَ تَقِيّاً﴾

"Such is the Garden which those of Our servants who guard (against evil) shall inherit" [TMQ Maryam: 63]

As for *al-Nar* it is a created abode wherein no believer shall abide eternally. Allah ﷻ says,

﴿لَا يَصْلَاهَا إِلَّا الْأَشْقَى۝الَّذِي كَذَّبَ وَتَوَلَّى۝وَسَيُجَنَّبُهَا الْأَتْقَى﴾

"None shall reach it but the most unfortunate ones, who belie (the Truth) and turn awat (from it). But those most devoted (to Allah) shall be far removed from it"

[TMQ Layl: 15-17]

Those who Allah ﷻ wills of the Muslims whose major sins and misdeeds outweigh their minor sins and good deeds will enter *al-Nar*, and later will be taken out and and admitted to *al-Jannah*. Allah ﷻ says,

﴿إِن تَجْتَنِبُواْ كَبَآئِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنكُمْ سَيِّئَاتِكُمْ وَنُدْخِلْكُم مُّدْخَلاً كَرِيماً﴾

"If you (but) eschew the great things which you are forbidden, We shall do away with your evil deeds, and admit you to a Gate of great honour" [TMQ Nisā': 31]

And

﴿وَأَمَّا مَنْ خَفَّتْ مَوَازِينُهُ۝فَأُمُّهُ هَاوِيَةٌ۝وَمَا أَدْرَاكَ مَا هِيَهْ۝نَارٌ حَامِيَةٌ ﴾

"But he whose balance (of good deeds) is light, his abode shall be a (bottomless) Pit. And what will explain to you what it is? (It is) a Fire blazing fiercely!

[TMQ Qāri'ah: 8-11].

Part of the *imān* in *al-Jannah* is the *imān* in that its delights are sensorially perceivable and that its people eat, drink, copulate, dress, and relish those delights. Allah ﷻ says,

﴿يَطُوفُ عَلَيْهِمْ وِلْدَانٌ مُّخَلَّدُونَ۝بِأَكْوَابٍ وَأَبَارِيقَ وَكَأْسٍ مِّن مَّعِينٍ۝لَا يُصَدَّعُونَ عَنْهَا وَلَا يُنزِفُونَ ۝وَفَاكِهَةٍ مِّمَّا يَتَخَيَّرُونَ۝وَلَحْمِ طَيْرٍ مِّمَّا يَشْتَهُونَ۝وَحُورٌ عِينٌ ۝كَأَمْثَالِ اللُّؤْلُؤِ الْمَكْنُونِ۝جَزَاء بِمَا كَانُوا يَعْمَلُونَ﴾

"Round them will (serve) youths of perpetual (freshness), with goblets, (shining) beakers, and cups (filled) out of clear-flowing fountains: no after-ache will they receive therefrom, nor will they suffer intoxication. And with fruits, any that they may choose, and the flesh of fowls, any that they may desire. And (there shall be) companions (for them) with beautiful, lustrous eyes, like unto pearls well-guarded. A recompense for what they used to do"

[TMQ Wāqi'ah: 17-24],

And

﴿وَلِبَاسُهُمْ فِيهَا حَرِيرٌ﴾

"…and their garments there will be of silk" [TMQ Hajj: 23]

And

﴿عَالِيَهُمْ ثِيَابُ سُندُسٍ خُضْرٌ وَإِسْتَبْرَقٌ وَحُلُّوا أَسَاوِرَ مِن فِضَّةٍ وَسَقَاهُمْ رَبُّهُمْ شَرَاباً طَهُوراً﴾

"Upon them will be green garments of fine silk and heavy brocade, and they will be adorned with bracelets of silver; and their Lord will give to them to drink of a Wine, pure." [TMQ Insān: 21]

And

﴿إِنَّ الْأَبْرَارَ يَشْرَبُونَ مِن كَأْسٍ كَانَ مِزَاجُهَا كَافُوراً۝عَيْناً يَشْرَبُ بِهَا عِبَادُ اللَّهِ يُفَجِّرُونَهَا تَفْجِيراً﴾

"The Righteous shall drink of a cup whereof the mixture is of Kafur; a spring wherefrom the slaves of Allah drink, making it gush forth abundantly"

[TMQ Insān: 5-6]

And

﴿وَجَزَاهُم بِمَا صَبَرُوا جَنَّةً وَحَرِيراً۝مُّتَّكِئِينَ فِيهَا عَلَى الْأَرَائِكِ لَا يَرَوْنَ فِيهَا شَمْساً وَلَا زَمْهَرِيراً۝وَدَانِيَةً عَلَيْهِمْ ظِلَالُهَا وَذُلِّلَتْ قُطُوفُهَا تَذْلِيلاً۝وَيُطَافُ عَلَيْهِم بِآنِيَةٍ مِّن فِضَّةٍ وَأَكْوَابٍ كَانَتْ قَوَارِيرَا۝قَوَارِيرَ مِن فِضَّةٍ قَدَّرُوهَا تَقْدِيراً﴾

"And the recompense for their patience and steadfastness is the Garden and (garments of) silk. Reclining in it on raised thrones, they will see there neither the (excessive heat) of the sun nor intense cold. And the shades of the (Garden) will come low over them: the bunches (of fruit), there, will hang low in humility. And amongst them will be passed round vessels of silver and goblets of crystal, clear, made of silver: they will determine the measure thereof (according to their wishes)" [TMQ-Insān: 12-16]

This is in addition to many other delights mentioned explicitly in the Qur'ān.

Part of the *imān* in *an-Nar* is *imān* in that its torment is real and sensorially perceivable and that its people suffer various types of torture in fire, *zamhareer* (severe frost or glowing fire), boiling puss and other forms of torture which were mentioned explicitly in the Qur'ān, such as torture with chains and handcuffs, liquid pitch, fire pits, the eating of *zaqqum*, and the drinking of water which is as hot as boiling metal. Allah ﷻ says,

﴿سَرَابِيلُهُم مِّن قَطِرَانٍ﴾

"Their garments of liquid pitch" [TMQ Ibrāhim: 50]

And

﴿إِنَّا أَعْتَدْنَا لِلْكَافِرِينَ سَلَاسِلَا وَأَغْلَالاً وَسَعِيراً﴾

"For the Rejecters We have prepared chains, yokes, and a Blazing Fire!"

[TMQ Insān: 4]

And

﴿إِنَّ شَجَرَةَ الزَّقُّومِ ۞طَعَامُ الْأَثِيمِ ﴾

"Verily the tree of Zaqqum will be the food of the Sinners!"

[TMQ Dukhān: 43-44]

And

﴿فِي سَمُومٍ وَحَمِيمٍ﴾

"(They will be) in the midst of a fierce Blast of Fire and in Boiling Water"

[TMQ al-Wāqi'ah: 42]

And

﴿وَإِن يَسْتَغِيثُوا يُغَاثُوا بِمَاء كَالْمُهْلِ يَشْوِي الْوُجُوهَ بِئْسَ الشَّرَابُ﴾

"…if they implore relief they will be granted water like melted brass, that will scald their faces: how dreadful the drink!" [TMQ Kahf: 29]

And

﴿وَلَا طَعَامٌ إِلَّا مِنْ غِسْلِينٍ﴾

"Nor has he any food except the discharge from the washing of wounds"

[TMQ Hāāqqah: 36]

And

﴿كُلَّمَا نَضِجَتْ جُلُودُهُمْ بَدَّلْنَاهُمْ جُلُوداً غَيْرَهَا لِيَذُوقُواْ الْعَذَابَ﴾

"…as often as their skins are roasted through, We shall change them for fresh skins, that they may taste the Penalty!" [TMQ Nisā': 56]

And

﴿لَا يُقْضَى عَلَيْهِمْ فَيَمُوتُوا وَلَا يُخَفَّفُ عَنْهُم مِّنْ عَذَابِهَا﴾

"…no term shall be determined for them, so they should die, nor shall its Penalty be lightened for them."
[TMQ Fatir: 36]

And

﴿ثُمَّ إِنَّكُمْ أَيُّهَا الضَّالُّونَ الْمُكَذِّبُونَ۝لَآكِلُونَ مِن شَجَرٍ مِّن زَقُّومٍ۝فَمَالِؤُونَ مِنْهَا الْبُطُونَ ۝ فَشَارِبُونَ عَلَيْهِ مِنَ الْحَمِيمِ۝فَشَارِبُونَ شُرْبَ الْهِيمِ﴾

"Then will you, O you who go astray, and belie (the Truth)! You shall surely taste of the Tree of Zaqqum. Then will you fill your insides therewith, and drink Boiling Water on top of it: indeed you shall drink like diseased camels raging with thirst!"

[TMQ Wāqi'ah: 51-55]

And

﴿النَّارُ يُعْرَضُونَ عَلَيْهَا غُدُوّاً وَعَشِيّاً﴾

"In front of the Fire shall they be brought, morning and evening" [TMQ Ghāfir: 46]

The Emergence of the *Mutakallimīn* and Their Approach

The Muslims believed in Islam with an *imān* that was free of doubt. Their belief was so strong that it did not result in any questions that would indicate skepticism. Nor did they discuss the *ayāt* of the Qur'ān except in a manner that would enable them to comprehend the reality of the thought therein. They did not inquire into the suppositions that might be drawn from it nor the logical conclusions that may be deduced from it. They went to the world, carrying this Islamic *Da'wah* to all the people, fighting in its path, opening the cities, and the nations embraced what they carried.

The whole of the first century *Hijri* elapsed with the current of the Islamic *Da'wah* overwhelming everything that stood in its way; the Islamic thoughts were being given to the people as they had been received by the Muslims: with a brilliant understanding, a definitive faith and a surprisingly splendid awareness. Yet, the carrying of the *Da'wah* in the opened (conquered) lands led to an intellectual collision with the people of other religions who had not yet embraced Islam as well as (some of) those who had entered its domain. This intellectual collision was strenuous. The people of other religions were acquainted with some philosophical thoughts and had certain viewpoints which they got from their religions and so they used to stir skepticism and debate with the Muslims over creedal points [*aqa'id*], because the basis of the *Da'wah* is built upon the *'aqīdah* and the thoughts associated with it. So the Muslims sincerely wished well for (the success) of the Islamic *Daw'ah* and argued with them in order to counter them. This led many of them to learn some philosophical thoughts in order to use these as a weapon against their adversaries. Moreover apart from their sincerity in carrying the *Da'wah* and the refutal of their adversaries' arguments, this learning (of the philosophies) was jusitified to them and they were motivated towards it due to two factors:

Firstly: the Noble Qur'ān, besides its call for *tauhīd* (monotheism) and prophethood, tackled the more prominent sects and religions which were widespread at the time of the Prophet ﷺ; it countered them and refuted their advocacies. It dealt with *shirk*, in all its forms, and refuted it. There were amongst the *mushrikīn* those who deified the planets and took them as associates to Allah ﷻ; the Qur'ān refuted their belief. Some of them advocated the worship of idols and made them into partners of Allah ﷻ; it refuted this adovation. Some of them denied prophethood altogether; the Qur'ān refuted their belief; some of them denied the prophethood of Muhammad ﷺ and it refuted this belief. Some of them denied the ressurection and the accounting on that day; the Qur'ān refuted their belief. Some of them deified Isa عليه السلام, or made him into the son of Allah ﷻ; the Qur'ān refuted this belief; and the Qur'ān did not suffice with this: it ordered the Messenger ﷺ to engage in debate with them:

﴿وَجَادِلْهُم بِالَّتِي هِيَ أَحْسَنُ﴾

"…and argue with them in ways that are best and most gracious."

[TMQ Nahl: 125]

﴿وَلَا تُجَادِلُوا أَهْلَ الْكِتَابِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ﴾

"…and dispute not with the People of the Book, except with that which is better"

[TMQ 'Ankabūt: 46]

Further, the life of the Prophet ﷺ had been a life of intellectual struggle with all of the *kuffār*, the *mushrikīn* and the People of the Book. Many incidents were reported about him in Makkah and Madinah in which he discussed with the *kuffār* and debated with them as individuals, groups, and

delegations. This intellectual struggle which is prominent in the *ayāt* of the Qur'ān and in the *ahādith* of the Messenger ﷺ and in his conduct was read and heard by the Muslims; it was thus only natural for them to discuss with the people of other religions and to engage with them in an intellectual struggle and to debate with them. The *ahkām* of their religion call for such discussion; the nature of the Islamic Call - its clash with *kufr* - will not progress without the occurrence of such struggle, discussion and argumentation, between it and *kufr*. As for that what makes this struggle adopt an intellectual character, the Qur'ān itself calls for the use of the intellect, and it cites intellectual proof and sensory evidence. The call to its *'aqīdah* is based exclusively on the mind, not on textual evidence. Thus it was inevitable for the debate and the struggle to take an intellectual character and to be marked by the same.

Secondly: Certain philosophical and theologial issues had leaked to the Muslims from the Nestorian Christians and their like, and the logic of Aristotle was known amongst the Muslims; some had become familiar with certain books of philosophy. Many books were translated from Greek into Syriac and then into Arabic; later, translation was made from Greek (directly) into Arabic. This supported the presence of philosophical thoughts. Some other religions, specifically Judiasm and Christianity, had resorted to Greek philosophy as a weapon and brought it into the (Muslim) lands. All of this generated philosophical thoughts, pushing the Muslims to study them.

Thus these two factors, the rules and thoughts of Islam concerning argumentation and the presence of philosophical thoughts, were the factors which pushed the Muslims to shift to intellectual discussions and philosophical thoughts, learning them and using them as material in their discussions and debates, and they justified this. Yet all of this was not a comprehensive philosophical study but merely a study of (some) philosophical thoughts to refute the Christians and Jews, because it would not have been possible for the Muslims to rebut except after they had familiarised themselves with the arguments of the Greek philosophers, especially those related to logic and theology. Because of this they were urged to study the foreign sects and their arguments and proofs. Thus the Muslim lands became a ground where all opinions and all religions were presented and debated. Undoubtedly, debate provokes pondering and thinking and gives rise to multiple issues that provoke contemplation and lead each group to adopt what it deems most correct. This debate and thinking was extremely instrumental in the emergence of people who took a new path/methodology in inquiry, argumentation and discussion. The philosophical thoughts which they had learnt influenced them greatly, in their method of proving and in some of their thoughts. As a result the science of *'Ilm al-Kalām* [Islamic Scholasticism] developed, becoming a specialised branch of knowledge, and there emerged in the Islamic Lands amongst the Muslims the group of *Mutakallimīn* [Scholastics].

Since these *Mutakallimīn* were essentially defending Islam, explaining it rules and, and elucidating the thoughts of the Qur'ān, they were mostly influenced by the Qur'ān, and the basis on which they built their discussion was the Qur'ān. Yet, since they had learnt philosophy in order to defend the Qur'ān and used it as a weapon against their adversaries, they evolved a particular methodology of inquiry, verification and evidencing; an approach which was different to the methodology of the Qur'ān, the *Hadīth* and the *Sahābah* ﷺ, and also different to the methodology of the Greek philosophers in their inquiry, verification and evidencing.

As for their divergence from the methodology of the Qur'ān, then the Qur'ān's approach bases its call on an instinctive [*fitrī*] basis; it is based on this instinct [*fitrah*] and it addresses the people in a manner consistent with this *fitrah*. At the same time the Qur'ān is based on the intellectual basis; it is based on the mind and addresses the intellect; Allah ﷻ says,

﴿إِنَّ الَّذِينَ تَدْعُونَ مِن دُونِ اللَّهِ لَن يَخْلُقُوا ذُبَاباً وَلَوِ اجْتَمَعُوا لَهُ وَإِن يَسْلُبْهُمُ الذُّبَابُ شَيْئاً لَّا يَسْتَنقِذُوهُ مِنْهُ ضَعُفَ الطَّالِبُ وَالْمَطْلُوبُ﴾

"Those upon whom you call, besides Allah, cannot create a fly, (even) if they all came together for such! And if the fly should snatch away anything from them, they would have no power to realise it from it. Feeble are the seeker and the besought!"

[TMQ Hajj: 73]

And

﴿فَلْيَنظُرِ الْإِنسَانُ مِمَّ خُلِقَ۞خُلِقَ مِن مَّاء دَافِقٍ۞يَخْرُجُ مِن بَيْنِ الصُّلْبِ وَالتَّرَائِبِ﴾

"Now let man but think: from what he was created! He was created from a drop, emitted, proceeding from between the backbone and the ribs"

[TMQ Tāriq: 5-7]

And

﴿فَلْيَنظُرِ الْإِنسَانُ إِلَى طَعَامِهِ۞أَنَّا صَبَبْنَا الْمَاء صَبّاً۞ثُمَّ شَقَقْنَا الْأَرْضَ شَقّاً۞فَأَنبَتْنَا فِيهَا حَبّاً۞وَعِنَباً وَقَضْباً۞وَزَيْتُوناً وَنَخْلاً۞وَحَدَائِقَ غُلْباً۞وَفَاكِهَةً وَأَبّاً﴾

"Then let man look to his food: We pour forth water in abundance, and We split the earth in fragments, and produce therein corn, and grapes and nutritious plants, and olives and dates, and enclosed Gardens, dense with lofty trees, and fruits and fodder"

[TMQ Abasa: 24-31]

And

﴿أَفَلَا يَنظُرُونَ إِلَى الْإِبِلِ كَيْفَ خُلِقَتْ۞وَإِلَى السَّمَاء كَيْفَ رُفِعَتْ۞وَإِلَى الْجِبَالِ كَيْفَ نُصِبَتْ۞وَإِلَى الْأَرْضِ كَيْفَ سُطِحَتْ﴾

"Do they then not look at the camels, how they are created? At the sky, how it is raised? At the mountains, how they are fixed firm? At the Earth, how it is spread?"

[TMQ Al-Ghāshiyah: 17-20]

And

﴿وَفِي أَنفُسِكُمْ أَفَلَا تُبْصِرُونَ﴾

"And in your own selves: will you not then see?" [TMQ Dhāriyāt: 21]

And

﴿أَمَّن يُجِيبُ الْمُضْطَرَّ إِذَا دَعَاهُ﴾

"Or, who listens to the (soul) distressed when it calls on Him" [TMQ Naml: 62]

Thus the approach of the Qur'ān with regards to Allah's capability, knowledge, and will tread on the basis of the *fitrah* and the intellect. This approach is consistent with the *fitrah* and it generates a feeling within every human being to listen and respond to it; even an atheist comprehends it and succumbs to it. It is an approach that suits every human being, with no distinction between the elite and the commoner or between the educated and the uneducated.

Moreover, the *mutashabih ayāt* wherein is ambiguity and in which there is lack of clarity for the reader, have come in the general form, without detail; they have come in the form of a general description of things or a reporting of realities wherein a lack of inquiry, thoroughness and

substantiation is apparent. So the reader does not reject them nor does he truly comprehend the realities denoted by them beyond the denotations of the words therein. Therefore, the natural stance with regards to them is one of acceptance as is the case towards the depiction of any reality and the verification of any fact, without seeking effective causes or substantiation. Thus, certain *ayāt* depict one facet of the actions of man and in so doing indicate compulsion; other *ayāt* depict other facets and in so doing indicate free choice. Allah ﷻ says,

﴿يُرِيدُ اللّهُ بِكُمُ الْيُسْرَ وَلاَ يُرِيدُ بِكُمُ الْعُسْرَ﴾

"Allah intends for you facility; He does not intend for you difficulty,"

[TMQ Baqarah: 185]

And

﴿وَمَا اللَّهُ يُرِيدُ ظُلْماً لِلْعِبَادِ﴾

"And Allah does not wish injustice for the servants" [TMQ Ghāfir: 31]

On the other hand, He ﷻ also says,

﴿فَمَنْ يُرِدِ اللَّهُ أَنْ يَهدِيَهُ يَشْرَحْ صَدْرَهُ لِلإِسْلاَمِ، وَمَنْ يُرِدْ أَنْ يُضِلَّهُ يَجْعَلْ صَدْرَهُ ضَيِّقاً حَرَجاً﴾

"Those whom Allah intends to guide, He opens his breast to Islam; and those whom He intends to send astray, He makes his breast tight and constricted," [TMQ An'ām: 125]

Other *ayāt* establish for Allah ﷻ a face and a hand and speak of Him as the Light of the Heavens and the Earth and state that He ﷻ is in the Heavens:

﴿ءَأَمِنتُمْ مَنْ فِي السَّمَاءِ أَنْ يَخْسِفَ بِكُمُ الأَرْضَ﴾

"Do you feel secure that He Who is in Heaven will not cause you to be swallowed up by the earth when it shakes?" [TMQ Mulk: 16]

﴿وَجَاءَ رَبُّكَ وَالْمَلَكُ صَفّاً صَفّاً﴾

"And your Lord comes, and His angels, rank upon rank," [TMQ Fajr: 22]

﴿وَيَبْقَى وَجْهُ رَبِّك﴾

"But will abide (forever) the Face of your Lord," [TMQ Rahmān: 27]

﴿بَلْ يَدَاهُ مَبْسُوطَتَانِ﴾

"Nay both His Hands are widely outstretched" [TMQ Mā'idah: 64]

Other *ayāt* establish his uniqueness:

﴿لَيْسَ كَمِثْلِهِ شَيْءٌ﴾

"There is nothing whatsoever like unto Him…" [TMQ Shūrā: 11]

﴿مَا يَكُونُ مِنْ نَجْوَى ثَلاَثَةٍ إِلاَّ هُوَ رَابِعُهُمْ وَلاَ خَمْسَةٍ إِلاَّ هُوَ سَادِسُهُمْ وَلاَ أَدْنَى مِنْ ذَلِكَ وَلاَ أَكْثَرَ إِلاَّ هُوَ مَعَهُمْ أَيْنَ مَا كَانُوا﴾

"There is no secret counsel between three but He is the fourth of them, nor (between) five but He is the sixth of them, nor less than that nor more but He is with them wheresoever they are…" [TMQ Mujādalah: 7]

﴿سُبْحَانَ اللَّهِ عَمَّا يَصِفُونَ﴾

"Exalted is Allah above what they attribute to Him!" [TMQ An'ām: 100]

Thus certain *ayāt* came in the Qur'ān which are seemingly contradictory. The Qur'ān called such *ayāt mutashabihāt* (polysemous). Allah ﷻ says,

﴿مِنْهُ آيَاتٌ مُحْكَمَاتٌ هُنَّ أُمُّ الْكِتَابِ وَأُخَرُ مُتَشَابِهَاتٌ﴾

"…in it are verses decisive (of established meaning); they are the foundation of the Book; others are not readily intelligible," [TMQ Imrān: 7]

When these *ayāt* were revealed, the Messenger ﷺ conveyed them to the people and the Muslims memorised them by rote, they did not generate any discussion or debate. They did not see in these *ayāt* any contradictions that required reconcilation. They understood every *ayah* with reference to the aspect it came to describe or verify. Thus the *ayāt* were harmonious in reality and in their selves. They believed in them, trusted them and understood them in a general manner, and they sufficed themselves with this understanding; they regarded them as a description of reality or a reporting of facts. Many amogst the wise did not like the discussion concerning the details of the *mutashabihāt* or the debate thereof. They thought that such discussion was of no benefit to Islam. The general understanding, to the extent one understands, would render the discussion of the details and elaborations unnecessary. Thus the Muslims comprehended the approach of the Qur'ān and received its *ayāt* upon this approach throughout the era of the Messenger ﷺ, and so did those who came after them until the entire first century *Hijri* had elapsed.

As for their difference from the methodology of the philosophers, the philosophers depended solely on syllogisms; they evolved syllogisms in a logical form from a minor and major premise and a conclusion. They used terminology and jargon such as 'essence' and 'accident' and the like; they initiated intellectual problems which they built on the basis of logic, not on the basis of sense-perception or the reality.

The methodology of inquiry adopted by the *Mutakallimīn* diverges from this. They believed in Allah ﷻ, in His Messenger ﷺ and in all that his Messenger ﷺ came with; what they intended was to prove these beliefs through logical reasoning. They then intitiated inquiry into the recency of the world and to establish proof for the recency of things. They began to expand upon this, and thus new issues opened up before them; they pursued the discussion of these and their offshoots to their logical ends. So, they did not discuss the *ayāt* in order to understand them as was the approach of those who came before them and as is the purpose of the Qur'ān, but they believed in those *ayāt* and then began to cite evidence for what they themselves understood from them. This is one of aspect from the aspects of the inquiry. As for the other aspect, it is with regards the *ayāt mutashabihāt*. The *Mutakallimīn* were not content to have *imān* in these *ayāt* in their generalised sense without detail. They collected the *ayāt* which were apparently contradicting and after having pursued them, such as those related to compulsion and free choice and those which might indicate the incarnation of Allah ﷻ, They focused their minds on them and were as presumptuous as none else. Their thinking led them to an opinion on every issue. Once they had reached to their opinion, they addressed the *ayāt* which apparently seemed to contradict their view and interpreted them away. Such interpretation of meaning [*ta'wīl*] to match their opinion was the primary characteristic of the *Mutakallimīn*. Thus if their inquiry led them to the conclusion that Allah is too sublime to be characterised with location and direction, they twisted the interpretation of the *ayāt* which indicate that He ﷻ is in the Heavens and interpreted away

His ﷻ establishing Himself ﷻ on the Throne [*al-istiwā alā'l-'arsh*]. If their discussion led them to the conclusion that the negation of the attribute of direction with regards to Allah ﷻ entails that the eyes of people would be incapable of seeing Him ﷻ, they twisted the interpretation of the reports related to the sighting of Allah ﷻ by the people. Thus, interpreting the meaning to suit their opinion was a characteristic from amongst the characteristics of the *Mutakallimīn* and their major distinction from the previous generations [*salaf*].

This methodology of giving the intellect the freedom to inquire into every thing, the comprehensible and the incomprehensible, the natural and the supernatural, the sensorially perceviable and the sensorially imperceviable, inevitably makes the intellect the basis of (judging) the Qur'ān, not the other way round. Thus it was natural for this approach of interpretation to emerge, and it was natural that they would take any direction they chose on the basis that, in their view, the intellect opted for it. This necessitated major discrepancies amongst them. Thus if the reasoning of one group led them to advocate free choice and to interpret away compulsion, the reasoning of others may well lead them to affirm compulsion and to interpret away the *ayāt* of free choice; it might lead others still to concile both opinions into a new opinion. All of the *Mutakallimīn* were prominently characterised with two things: first, the dependence on logic and syllogization in their proofs, not on the sensorially accessible, and second, dependence on interpreting away the *ayāt* that contradicted the conclusions they had reached.

The Error in the Methodology of the *Mutakallimīn*

Upon surveying the methodology of the *Mutakallimīn*, it becomes evident that it is an incorrect methodology and that applying it does not lead to *imān* or the strengthening of *imān*. Applying it does not even lead to thinking or to the strengthening of thinking. It only leads to mere knowledge; and knowledge is different from *imān* and different from thinking. The error of this methodology is obvious from several aspects:

Firstly: in this methodology, they base their proof on a logical basis not on the sensory basis. This is wrong because of two reasons. Firstly that it makes the Muslim in need of learning the science of logic in order for him to be able to prove the existence of Allah ﷻ; this means that those who are not acquainted with logic are incapable of proving the correctness of their *'aqīdah* (creed); it also means that the science of logic becomes, in relation to *'Ilm al-Kalām*, like the science of grammatical syntax in relation to the reading of Arabic after the Arabic tongue has deteriorated, although the science of logic is irrelevant to the *'aqīdah* and is irrelevant to proof. Indeed at the advent of Islam the Muslims did not know the science of logic; they carried the message and established definitive evidence to their creeds without relying on the science of logic whatsoever. This proves that the science of logic has no presence in the Islamic culture and that there is no need for it in any proof of the Islamic *'aqīdah*. Secondly, that the logical basis is susceptible to error unlike the sensory basis, which with regard to the existence or otherwise of things is absolutely infallible; what is susceptible to error should not be a basis for *imān*.

Logic is susceptible to speciosity and its conclusions are susceptible to be incorrect, because although it stipulates that the correctness of the premises and the soundness of their structure is a condition, the fact that it consists of the syllogising of one premise upon another makes the correctness of the conclusion dependant upon the correctness of these premises. The correctness of these premises is not guaranteed because the conclusion is not directly founded on sensation, it is founded on the syllogising of premises, one upon another, and thus the correctness of the conclusion is not guaranteed. This is because what occurs in it is that premises are syllogised, one upon another: things that can be comprehended upon the like, resulting in the same, and things that can be sensorially perceived upon the like, resulting in the same. As for the syllogising of comprehensibles upon comprehensibles, it leads to slipping into error and to contradictory conclusions, and it leads to drifting into a series of premises and conclusions which are rational in theory and by assumption but not with regard to thier existence in reality, so much so that in many of those syllogisms, the end results are utter fantasies and absurdities. Thus establishing proof through the syllogising of comprehensibles upon comprehensibles is susceptible to slipping. For example, logically it is said: the Qur'ān is the speech of Allah ﷻ and it is comprised of letters which are arranged and sequenced in existence, and every speech made up of letters arranged and sequenced in existence is recent; the conclusion: the Qur'ān is recent and created. This syllogising of premises has lead to a conclusion which in inaccessible to the senses; so the intellect is incapable of inquiring into it (as to its correctness) or judging it. Therefore, it is a hypothetical judgement, not a realistic one over and above it being one of the issues which the intellect has been prohibited from discussing. This is because a discussion of the attributes of Allah ﷻ is a discussion of His ﷻ essence, and in no way is it permissible to discuss the essence of Allah ﷻ. Yet it is possible to reach, via the same logic, a conclusion contradictory to this one. Thus it is said: the Qur'ān is the speech of Allah ﷻ and it is one of its attributes, and any thing that is an attribute of Allah ﷻ is eternal; the conclusion: that the Qur'ān is eternal and not created. Thus contradiction in logic is evident in one and the same proposition. Likewise, in many logical propositions that are resultant from the syllogising of comprehensibles upon

comprehensibles, a logician reaches conclusions which are utterly contradictory and utterly bizarre.

As for the syllogising of the sensorially accessible upon the sensorially accessible, if the premises can be traced back to the senses and the conclusion can be traced back to the senses, the result will be correct, because it is based on the senses in the premises and the conclusion is not solely based on the syllogising of propositions. However what occurs is that in arriving at truths reliance is placed on the syllogising of propositions, and the noticing of the senses is restricted to what the propositions end with. It may occur that a proposition is imagined to be true to a certain reality but in fact it is not. It may also occur that a proposition which is defined with a general demarcation will be true only to certain parts of it, and this truth of certain parts will lead to the deceptive conclusion that it applies to all parts. It may also be that in the proposition there appears apparent truth, but in reality it is incorrect, which deceptively means the truth of the proposition. It may also be that the conclusion is correct but the premises from which it is concluded are false, from which it may be imagined that because the conclusion is correct, so too are the premises…and so forth. Thus, it has been said, for example, that the inhabitants of Spain are not Muslims, and every land whose inhabitants are not Muslims is not an Islamic Land; the conclusion is that Spain is not an Islamic Land. This conclusion is wrong. Its error come from the error of the second premise: the statement that every land whose inhabitants are not Muslims is not an Islamic Land is false because a land is deemed Islamic if it were ruled by Islam or if the majority of its inhabitants are Muslims. This is why the conclusion is wrong; Spain is indeed an Islamic Land. As another example, it has been said that America is a country of high economic standard, and every country of high economic standard is a revived country. The conclusion is that America is a revived country. This conclusion is true with regards to America, although one of the two premises is false: not every country with a high economic standard is revived; a revived country is one with a high intellectual standard. Thus, this syllogism, whose conclusion is true, deceptively leads one to assume that the premises from which the conclusion was arrived at are also correct. It also leads to proposition that each of Kuwait, Qatar and Saudi Arabia is a revived country because each has a high economic standard, although the truth is that these are not revived countries. Thus, the correctness of the conclusions of all syllogisms is dependent on the correctness of the premises. The truth of the premises is not guaranteed because they are susceptible to having flaws.

Therefore, it is erroneous to depend on the logical basis in the establishment of proof. This does not mean that the truths reached via logic are false or that the establishment of proof via logic is erroneous, but it means that reliance in the establishment of proof on the logical basis is erroneous and that taking logic as a basis in the establishment of arguments is erroneous. It is the senses that are to be made the basis for proof and evidence. As for logic, it is valid to use it for the establishment of the proof of the correctness of a proposition and it would be correct if all the premises are true and if they together with the conclusion were traceable back to the senses. The correctness of the conclusion comes from its being deduced from the premises, not from anything else. Yet, its susceptibility to being erroneous makes it imperative that it is not made a basis in the establishment of proof because as a whole, it is an uncertain basis which is susceptible to error, although proof by means of some forms of it can be conclusive. It is the senses that must be made the basis of proof, because as a whole this is a definite basis regarding the existence or otherwise for things; it is completely insusceptible to error.

Secondly: the *Mutakallimīn* departed from the sensorially accessible; they went beyond it to the sensorially inaccessible, and inquired into the supernatural: the essence of Allah ﷻ and His attributes, into that which the senses cannot perceive, and they connected this with inquiries into matters related to the sensorially accessible. They went into excess in drawing analogy of the unseen with the apparent, that is, drawing analogy of Allah ﷻ with man, so they necessitated

justice, as envisaged by man in this worldly life, upon Allah ﷻ. They deemed it necessary that Allah ﷻ do that in which there is betterment. Some of them even necessitated upon Allah ﷻ that he do that which is the best, because (according to them) Allah ﷻ is Wise and He ﷻ does not do anything except for a purpose or a wisdom; an action without a purpose is meaningless and futile; a wise (being) either benefits himself or others, and since Allah ﷻ is too sublime to be benefited, He ﷻ only acts to benefit others.

Thus they overstepped into discussions of the sensorially inaccessible and of issues which the intellect is incapable of judging, and so they blundered. They missed the point that the sensorially accessible is comprehensible and that the essence of Allah ﷻ is incomprehensible, so it is not possible to draw analogy of one upon the other. They were inattentive to the fact that the Justice of Allah ﷻ is incomparable to the justice of man, and that it is invalid to apply the laws of this world to Allah ﷻ, who is the Creator of this world and the one who regulates it according the laws he set for it. When we do see that the perspective of man is narrow, he understands matters in a given way and that once his perspective widens, his view of justice changes and his judgement changes as well; how then do we compare (to ourselves) the lord of the worlds ﷻ whose knowledge encompasses everything and give His ﷻ justice the meaning of justice that we ourselves see to be justice? As for betterment and that which is best, it is linked to their view of justice; they say about it what they say about justice. It is observed in this regard that man can view a given thing as good, but once his perspective widens his view changes. For example, the Muslim world today is *dar al-kufr* having abandoned the rule of Islam; so all Muslims view it as a corrupt world and most of them say that it is in need of reform. But the aware see that reform means the removal of corruption from the status quo, and this is erroneous: the Muslim world is in need of a radical and comprehensive change that removes the rule of *kufr* and implements the rule of Islam; any (mere) reform includes the prolongation of corruption. Thus it is seen how the view of man changes towards what is good. How do we then subject Allah ﷻ to the judgement of man and deem it necessary for Him ﷻ to do what we see as good or better? If we made our mind the judge, we would see that Allah ﷻ did things which our minds see no good whatsoever in; what good is there, for example, in the creation of *Iblīs* and the *shayātīn* and giving them the ability to misguide man; why did Allah ﷻ give *Iblīs* respite until the Day of Judgement and let our Master Muhammad ﷺ die? Is all this better for people? Why does he ﷻ allow removal of the rule of Islam from the Earth and enable the dominance of the rule of *kufr*, humiliate the Muslims and enable the dominance of their *kafir* enemies? Is this better for His ﷻ servants? If we proceeded in the enumeration of thousands of acts and judged them by our mind and our understanding of the meaning of good and better, we would not find them good. Therefore the comparison of Allah ﷻ to man is not correct, and nothing is incumbent upon Allah ﷻ:

﴿لاَ يُسْأَلُ عَمَّا يَفْعَلُ﴾

"He is not questioned about His acts…" [TMQ Anbiyā': 23]

﴿لَيْسَ كَمِثْلِهِ شَيْءٌ﴾

"There is nothing whatsoever like unto Him" [TMQ Shūra: 11]

Indeed, what made the *Mutakallimīn* slip into all this is their methodology of inquiry and their comparing Allah ﷻ to man.

Thirdly: The methodology of the *Mutakallimīn* gives the intellect the freedom of inquiry into every thing, into the sensorially accessible and the sensorially inaccessible. This inevitably results in the intellect inquiring into matters that it is incapable of judging, and inquiring into suppositions and imaginations, and establishing evidence to support mere conceptions of things that may exist or may not exist. This allows for the possibility of the rejection of things which

definitely exist: things of which we were informed by a (source) the truth of whose information is definite for us but the intellect does not comprehend them. It also allows for the possibility of having *imān* in fantasties having no existence, which have been conjured up by the mind. For example, the *Mutakallimīn* discussed the essence of Allah ﷻ and his attributes: some of them said that an attribute is one and the same as the attribute carrier; others said that the attribute is other than the attribute carrier. They said that the knowledge of Allah ﷻ is the unfolding of the Known as it is, and the known changes from one time to another: the leaf of a tree falls after not having fallen, and Allah ﷻ says,

﴿وَمَا تَسْقُطُ مِنْ وَرَقَةٍ إِلاَّ يَعْلَمُهَا﴾

"Not a leaf does fall except that He knows of it" [TMQ An'ām: 59]

With the knowledge of Allah ﷻ a thing unfolds as it is; thus Allah ﷻ knows that a thing will be before it is and He ﷻ knows that a thing was when it was and He ﷻ knows that a thing no longer is when it no longer is. So how does the knowledge of Allah ﷻ change with the change in things? The knowledge that changes with the change of recent things is a recent knowledge and a recent thing does not lie in Allah ﷻ because that with which the recent is associated is itself recent. Others amongst the *Mutakallimin* replied to this by saying: it is self-evident that our knowledge that Zayd will come to us is other than our knowledge that he has indeed come; this distinction is due to the renewal of the knowledge; but this is applicable to man because it is he whose knowledge is renewed because the source of his knowledge, sensation and comprehension, is renewed. But with Allah ﷻ there is no distinction between something destined that will be, a realised thing that was, an accomplished thing that occurred and a predicted thing that will occur. Indeed, information with regards to Him ﷻ is of one state. Other *Mutakallimin* replied: Allah ﷻ inherently knows all that was and that will be, all information is known by him as the same knowledge, and the difference between what will be and what will stem from the change in things not in the knowledge of Allah ﷻ. All this discussion deals with matters that are sensorially inaccessible, and upon which the intellect cannot judge; so it is not allowed for the intellect to inquire into them. But they discussed them and reached these conclusions in line with their methodology that gives the intellect the freedom to inquire into everything. They imagined things and discussed them. For example, they conceived that the Will of Allah ﷻ is associated with the action of the servant (man), when the servant willed the action, that is, Allah ﷻ created the action when the servant was capable and willing, not with the servant's capability and will.

This subject matter was only conceived and hypothesised by those who inquired into these matters; sensorially, it has no reality, but they gave the intellect the freedom of inquiry so they inquired into it, formed this conception and deemed it compulsory to believe in it and they named it *kasb* [acquisition] and *ikhtiyār* [choice]. Had they restricted the inquiry of the mind into the sensorially accessible only, they would have realised that the action so far as the creation of all of its materials is concerned, it is only from Allah ﷻ, because creation from nothing only comes from the Creator. As for the manipulation of these materials and their affect on the action, this is from the servant, just like any industry he carries out, like the making of a chair for example. Had they restricted the inquiry of the intellect into the sensorially accessible alone, they would not have believed in much of the fantasies and theoretical suppositions (they came up with).

Fourthly: The methodology of the *Mutakallimin* makes the intellect the basis of the entire *imān*. Consequently, they made the intellect the basis for the Qur'ān; they did not make the Qur'ān the basis for the intellect. They built their interpretation of the Qur'ān accordingly on their basis of absolute elevation (of Allah ﷻ), the freedom of the will, justice and the doing of that which is

better (by Allah ﷻ) and so on. They made the intellect the arbitrator in the *ayāt* which are seemingly contradictory; they made it the ultimate arbitrator between the *mutashābihāt* and they twisted the interpretation of the *ayāt* which did not agree with the view they opted, so much so that interpreting away of texts became a method of theirs - *Mu'tazilah*, *Ahl al-Sunnah*, and *Jabriyyah* alike. This was because the basis for them were not the *ayāt* but the intellect; the *ayāt* would be interpreted to conform to the intellect. Thus, employing the intellect as a basis for the Qur'ān resulted in error in the inquiry and in the subject matter of the inquiry. Had they established the Qur'ān as the basis and had they built the intellect upon the Qur'ān, they would not have slipped into what they slipped into.

Indeed, the *imān* that the Qur'ān is the speech of Allah ﷻ is based on the intellect only, but after this *imān* is established, the Qur'ān itself and not the intellect, becomes the basis for the *imān* in what it contains. Therefore, with regards the *ayāt* that come in the Qur'ān, the intellect should not judge the truth or otherwise from their meaning. The *ayāt* themselves judge, and the role of the intellect in this case is only to understand. The *Mutakallimin* did not do this; rather, they made the intellect the basis for the Qur'ān and because of this they interpreted the *ayāt* of the Qur'ān (to conform to a certain preconceived meaning).

Fifthly: The *Mutakallimin* made their antagonism with the philosophers the basis of their inquiry. The *Mu'tazilah* took from the philosophers and argued against them; *Ahl al-Sunnah* and the *Jabriyyah* argued against the *Mu'tazilah*; they also took from the philosophers and argued against them, whereas the subject matter of the inquiry is Islam, not the antagonism with the philosophers or any other group. It is upon them to inquire into the subject matter of Islam, that is, to inquire into what the Qur'ān brought and what the *Hadīth* contained and to restrict their inquiry to it and to its discussion, irrespective of any person. However they did not do this. They converted the conveyance of Islam and the expounding of its *'aqa'id* into debates and polemics; they degraded it from a driving force within the heart, from the clarity and the fervour of the *'aqīdah*, to a polemic feature and a rhetorical profession.

These are the major fallacies of the methodology of the *Mutakallimīn*. One of the consequences of this methodology was that the discussion of the Islamic ''*aqīdah* (creed) transformed from being the means of calling to Islam and explaining it for people into a discipline which is taught, like the science of syntax or any of the disciplines which were born after the conquests. This was in spite of the fact that if it were at all valid to establish a discipline for any of the branches of knowledge of Islam, it would be invalid to do this with the Islamic *'aqīdah*, because it is itself the subject matter of the *Da'wah* and it is the basis of Islam; it should be conveyed to the people exactly as it came in the Qur'ān. The method of the Qur'ān in conveying it to the people and in expounding it to them should be implemented as the method of calling to Islam and explaining its thoughts. Therefore, it is imperative that the methodology of the *Mutakallimīn* be abandoned and that the methodology of the Qur'ān alone be reverted to, namely, basing the *Da'wah* on the *fitrah* whilst basing it on the intellect within the limits of the sensorially accessible.

How the Issue of *Al-Qadaa' wa'l- Qadar* Emerged

With the exception of the issue of ruler regarding the perpetrator of a *kabīrah* (major sin) over which Wāsil Ibn 'Atā', the head of the *Mu'tazilah*, withdrew from the circle of al-Hasan al-Basrī, we can hardly find any issue from the issues of *'Ilm al-Kalam* which had not originated from an issue that was discussed by the Greek philosophers. The issue of *al-qadā' wa'l-qadar* by this name and with the referent which they discussed had been discussed by Greek philosophers, and they had differed in it. This issue is referred to as the issue of *al-qadā' wa'l-qadar* and as *al-jabr wa'l-ikhtiyār*, and as *hurriyat al-irādah*, all of which have the same referent, namely: The actions that man does, is he free to do them or not, or is he compelled? It never occurred to the minds of the Muslims - before the translation of the Greek philosophy - to inquire into this subject matter. It was the Greek philosophers who inquired into it and differed in it. The Epicureans opined that the will is free in choice and that man does all of his actions according to his will and choice, without any compulsion. As for the Stoics, they opined that the will is compelled to take the path it takes, incapable of departing from it. Man, according to them, does nothing in accordance with his will; he is compelled to do whatever he does and does not have the ability to make a choice to undertake an action or not.

After the advent of Islam and the infiltration of philosophical thoughts, one of the major issues was the attribute of justice with regards to Allah ﷻ. Allah ﷻ is just; from the proposition of this justice follows the issue of punishment and reward, from which arises the issue of the servant's commission of his actions, all of which were inquired into, in line with the method of inquiry which they adopted in inquring into an issue as well as into all its offshoots, and due to the influence of the inquisitions of the philosophers i.e the philosophical thoughts they had studied in relation to the topics they were refuting. The most prominent of these was the discussion by the *Mu'tazilah*, being the original discussion in this matter; the discussions of the other *Mutakallimīn* come only as a response to refute the views of the *Mu'tazilah*. Thus the *Mu'tazilah* are considered the pioneers in discussing the issue of *al-qadā' wa 'l-qadar*, nay in all the topics of *'Ilm al-Kalam*.

The *Mu'tazilah's* view of the justice of Allah ﷻ was one of subliming Him ﷻ above injustice. Regarding the issue of punishment and reward, they took a stance which was consistent with the subliming of Allah ﷻ and with his Justice. They postulated that the justice of Allah ﷻ would be meaningless without the affirmation of the freedom of the will of man and the affirmation that he creates his actions and that he is capable of doing or refraining from doing; thus if he does (an action) voluntarily or refrains from doing (it) voluntarily, his punishment or reward will be understandable and just. But if Allah ﷻ creates man and compels him to act in a certain way by compelling the obedient toward obedience and the disobedient toward disobedience and then punishes him and rewards him, this would not be just in the least. Thus they drew analogy between the unseen and the seen, comparing Allah ﷻ to man. They subjected the laws of this world to Allah ﷻ precisely as a group of the Greek philosophers had done. Thus they obligated justice upon Allah ﷻ as it was envisaged by man.

The origin of the discussion is the punishment and reward from Allah ﷻ for the servant's action. This is the subject matter of the discussion which was given the name '*al-qadā' wa'l-qadar*' or as '*al-jabr wa'l-ikhtiyār*' or '*hurriyat al-irādah*'. Their approach to the discussion was that of the Greek philosophers: they discussed volition [*irādah*] and the creation of acts. Regarding the issue of volition, they said: we see that the one who wills good is himself good and the one who wills evil is evil, the one who wills justice is just and one who wills injustice is unjust. Thus if the Will of Allah ﷻ were associated to all good and evil in the world, good and evil would be willed by Allah ﷻ and thus the one who willed would merit the description of good and evil, just and unjust, and

this is an impossibility with regard to Allah ﷻ. They also said that if Allah ﷻ had willed the *kufr* of the *kāfir* and the disobedience of the disobedient, he would not have prohibited them from *kufr* and disobedience, and how can it be thinkable that Allah ﷻ willed for Abu Lahab that he be a *kāfir* and then ordered him to have *imān* and prohibited him from *kufr*? If any one of the creation did this, he certainly would be (deemed) foolish; Exalted is Allah ﷻ high above such. Further, if the *kufr* of a *kāfir* and the disobedience of the disobedient were willed by Allah ﷻ, they would not be deserving the punishment; their acts actually would be in obedience to his ﷻ Will…

Thus they proceeded with logical propositions, and then they followed this up with textual proofs from the Noble Quran, citing the saying of Allah ﷻ,

﴿وَمَا اللَّهُ يُرِيدُ ظُلْماً لِلْعِبَادِ﴾

"And Allah does not wish injustice for His Servants" [TMQ Ghāfir: 31]

And His ﷻ saying,

﴿سَيَقُولُ الَّذِينَ أَشْرَكُوا لَوْ شَاءَ اللَّهُ مَا أَشْرَكْنَا وَلاَ آبَاؤُنَا وَلاَ حَرَّمْنَا مِنْ شَيْءٍ كَذَلِكَ كَذَّبَ الَّذِينَ مِنْ قَبْلِهِم﴾

"Those who associate partners with Allah will say: 'If Allah had willed, we whould not have associated partners with Him, nor would our fathers; nor would we have forbidden aught.' Thus did those before them reject…"

[TMQ An'ām: 148]

And His ﷻ saying,

﴿قُلْ فَلِلَّهِ الْحُجَّةُ الْبَالِغَةُ فَلَوْ شَاءَ لَهَدَاكُمْ أَجْمَعِينَ﴾

"Say: 'Then Allah's is the conclusive argument; had He Willed, He would certainly have guided you all"

[TMQ-An'ām: 149]

And

﴿يُرِيدُ اللّهُ بِكُمُ الْيُسْرَ وَلاَ يُرِيدُ بِكُمُ الْعُسْرَ﴾

"Allah intends for you facility; He does not intend for you difficulty"

[TMQ Baqarah: 185]

and His ﷻ saying,

﴿وَلاَ يَرْضَى لِعِبَادِهِ الْكُفْرَ﴾

"He likes not ingratitude from His Servants" [TMQ-Zumar: 7]

They manipulated the *ayāt* that contradicted their viewpoint, for example the saying of Allah ﷻ,

﴿إِنَّ الَّذِينَ كَفَرُواْ سَوَاءٌ عَلَيْهِمْ أَأَنذَرْتَهُمْ أَمْ لَمْ تُنذِرْهُمْ لاَ يُؤْمِنُونَ﴾

"As to those who reject, it is the same to them whether you warn them or you do not warn them; they will not believe" [TMQ-Baqarah: 6]

And His ﷻ saying,

﴿خَتَمَ اللّهُ عَلَى قُلُوبِهِمْ وَعَلَى سَمْعِهِمْ وَعَلَى أَبْصَارِهِمْ غِشَاوَةٌ﴾

"Allah has set a seal on their hearts and on their hearing; and on their eyes is a veil"

[TMQ Baqarah: 7]

And His ﷻ saying,

﴿بَلْ طَبَعَ اللَّهُ عَلَيْهَا بِكُفْرِهِمْ﴾

"Nay Allah has set the seal on their hearts for their blasphemy"

[TMQ-Nisā': 155]

They concluded from this the opinion that they held and advocated, namely their well-known view that man has the freedom of will to do an act or refrain from it. Thus if he acts, it is according to his will and if he refrains, it is also according to his will. As for the issue of the creation of acts, the *Mu'tazilah* said that the acts of the servants are created by them and are of their own doing not of Allah's ﷻ; it is in their power to do these acts or refrain from them without any intervention of the power of Allah ﷻ. The proof of this is the difference which man feels between the voluntary and the involuntary movement, such as the movement of a person who voluntarily moves his hand and the movement of a trembling person, and such as the difference between the movement of someone going up a lighthouse and another falling from it. Thus the voluntary movement is in the power of man: it is he who creates it; but he has no role in the involuntary movement. Also, if man was not the creator of his acts, the *taklīf* (obligation to comply with the *Sharī'a*) would certainly be invalidated, since if he was not capable of acting or refraining from acting, it would not be rational to ask him to act or to refrain from acting and this would not have been the subject of praise, reproach, reward or punishment. Thus, they proceeded with the proof of this opinion of theirs via logical propositions, and then they annexed to this textual proofs, citing many *ayāt*, like the saying of Allah ﷻ,

﴿فَوَيْلٌ لِّلَّذِينَ يَكْتُبُونَ الْكِتَابَ بِأَيْدِيهِمْ ثُمَّ يَقُولُونَ هَذَا مِنْ عِندِ اللّهِ﴾

"Then woe to those who write the Book with their own hands, and then say: *'This is from Allah'"* [TMQ - Baqarah: 79]

And His ﷻ saying,

﴿إِنَّ اللَّهَ لاَ يُغَيِّرُ مَا بِقَوْمٍ حَتَّى يُغَيِّرُوا مَا بِأَنفُسِهِمْ﴾

"Allah will not change the condition of a people until they change what is within themselves" [TMQ-Ra'd: 11]

And His ﷻ saying,

﴿مَنْ يَعْمَلْ سُوءاً يُجْزَ بِهِ﴾

"Whoever works evil, will be requited accordingly" [TMQ-Nisā': 123]

And His ﷻ saying,

﴿الْيَوْمَ تُجْزَى كُلُّ نَفْسٍ بِمَا كَسَبَتْ﴾

"The Day every soul shall be requited for what it earned" [TMQ Ghāfir: 17]

And His ﷻ saying,

﴿قَالَ رَبِّ ارْجِعُونِ، لَعَلِّي أَعْمَلُ صَالِحاً﴾

"He says: *'O my Lord! Send me back, so that I may work righteousness"*

[TMQ-Mu'minūn: 99-100]

They manipulated the *ayāt* which contradicted this opinion of theirs, like the saying of Allah ﷻ,

﴿وَاللهُ خَلَقَكُمْ وَمَا تَعْمَلُونَ﴾

"And Allah has created you and your handiwork!" [TMQ-Sāāfāt: 96]

And His ﷻ saying,

﴿اللَّهُ خَالِقُ كُلِّ شَيْءٍ﴾

"Allah is the Creator of all things" [TMQ Zumar: 62]

They concluded with the opinion which they held regarding the issue of the creation of acts, namely the view that man creates his own actions by himself and that he is capable of doing an act or refraining from it. In pursuance of the methodology of inquiry of the *Mutakallimīn* in discussing the issue as well as its offshoots, one of the offshoots of the issue of the creation of acts was the issue of causality. After the *Mu'tazilah* had determined that the acts of man are created by him, a question arose from this: what about the acts that result from his action? Are they created by him as well? Or are they created by Allah ﷻ? For example, the pain felt by a person who has been hit, the taste that a thing comes to have as a result of the action of man, the cutting that occurs from a knife, pleasure, health, lust, heat, cold, humidity, solidity, cowardice, courage, hunger, satisfaction, etc. They said that all these are part of the action of man because it is man who causes them when he performs his acts. Thus they are ensuing from his act and as a result are created by him.

This is the issue of *al-qadā' wa'l-qadar* and the view of the *Mu'tazilah* regarding it. The essence of it is that it is the issue of the volition of the act of the servant and the attributes that occur in things as a result of the action of man. The essence of their view is that the servant has free will in all of his actions and that it is he who creates his actions and the attributes that occur in things as a result of his action.

This view of the *Mu'tazilah* provoked the Muslims and it was a view unfamiliar to them; it was a impudent view in the prime basis of the *deen* i.e the *'aqīdah*. Thus they refuted it, a group called the *Jabriyyah* emerged; among the most famous of them was al-Jahm ibn Safwān. They said: man is compelled and he does not have free will, nor does he have the capability of creating his acts; he is just like a feather in the wind or like a piece of wood floating upon waves. Indeed, Allah ﷻ creates the actions upon the hands of man. They said: if we say that man is the creator of his own acts, what follows is the limiting of Allah's ﷻ capability and (the implication) that it does not cover all things: that the servant is a partner of Allah's ﷻ in the formation of what is in this world. A single thing cannot be affected by two capabilities. If the capability of Allah ﷻ created it, then man has no role in it, and if the capability of man created it then Allah ﷻ has no role in it. It is impossible that part of it is the result of the capability of Allah ﷻ and another part is the result of the capability of the servant. Thus Allah ﷻ is the Creator of the action of the servant, and it is according to His ﷻ will that man performs an action. They opined that the acts of the servants occur only through Allah's ﷻ capability and that the servant has no influence whatsoever in it; man is merely the subject of what Allah ﷻ conducts at his hands, he is compelled absolutely. He and the inanimates are equals, differing only in appearance. Thus did they proceed in the proof of their view, citing *ayāt* of the Quran to support it, like the saying of Allah ﷻ,

﴿وَمَا تَشَاءُونَ إِلاَّ أَنْ يَشَاءَ اللَّه﴾

"And you will not, except as Allah Wills." [TMQ-Insān: 30]

And His ﷻ saying,

﴿وَمَا رَمَيْتَ إِذْ رَمَيْتَ وَلَكِنَّ اللَّهَ رَمَى﴾

"You threw not, when you did threw, but it was Allah who threw"

[TMQ-Anfāl: 17]

And His ﷻ saying,

﴿إِنَّكَ لاَ تَهْدِي مَنْ أَحْبَبْتَ وَلَكِنَّ اللَّهَ يَهْدِي مَنْ يَشَاءُ﴾

"You do not guide whom you love (O Muhammad), but Allah guides whom He Wills" [TMQ-Qasas: 56]

And His ﷻ saying,

﴿وَاللَّهُ خَلَقَكُمْ وَمَا تَعْمَلُونَ﴾

"And Allah has created you and your handiwork!" [TMQ-Sāāfāt: 96]

and His ﷻ saying,

﴿اللَّهُ خَالِقُ كُلِّ شَيْءٍ﴾

"Allah is the Creator of all things" [TMQ Zumar: 62]

They would interpret away the *ayāt* indicating the free will of the servant and his creation of acts. Accordingly, they said that the attributes of things that result from the action of the servant such as pleasure, hunger, courage, cutting and burning etc. are from Allah ﷻ.

Ahl ul-Sunnah wa'l-Jama'ah (also) emerged and addressed themselves to refute the *Mu'tazilah*. *Ahl ul-Sunnah* said that the acts of the servants are all by the Will and Volition of Allah ﷻ. Will and volition, they said, mean the same thing, namely, an eternal attribute of *al-Hayy* (the Alive, i.e. Allah ﷻ), which dictates the opting for the occurrence of one of two practicables at one specific time while the capability is uniform with regard to all. The acts of the servants are according to his ruling [*hukm*] - when He ﷻ Wills something He says 'Be!' and it is – and His *qadiyyah*, that is, His *qadā'*, which is a denotation of the act plus conditions; Allah ﷻ says,

﴿فَقَضاهُنَّ سَبْعَ سَمَاوَاتٍ﴾

"So He completed [qadā] them as seven firmaments" [TMQ Fussilat: 12]

﴿وَقَضَى رَبُّكَ﴾

"Your Lord has decreed [qadā]" [TMQ-Isrā': 23]

The intent of *qadā'* here being the subject affected by the *qadā'* and not an attribute from amongst the attributes of Allah ﷻ. The act of the servant is according to the arrangement [*taqdīr*] of Allah ﷻ: the characterisation of every created entity with its own specification as regards goodness, badness, usefulness, harmfulness and the time and place that contain it, and the consequent punishment and reward. The intention here is to affirm the generality of the Will and Capability of Allah ﷻ because all (things) are created by Allah ﷻ (This dictates the Capability and the Will (of Allah) for no compulsion or imposition.) They said: if it is said that according to your view a *kāfir* is compelled in his *kufr* and a *fāsiq* is compelled in his *fisq* and thus their obligation to have *imān* and be obedient would not be valid, our reply is that Allah ﷻ wanted from them *kufr* and *fisq* according to their own volition, thus there is no compulsion; this is just as ﷻ foreknew their voluntary *kufr* and *fisq*, thus the incumbency of the impossible does not

follow. About the acts of the servants, they said in response to the *Mu'tazilah* and the *Jabriyyah*: the servants have voluntary acts for which they are rewarded in the case of obedience and are punished in the case of disobedience. They explained how they termed it voluntary whilst holding that Allah ﷻ is the sole creator and effector of acts; thus they said: the creator of the action of the servant is Allah ﷻ. The capability and will of the servant has a role in certain acts such as the movement of striking, but not in others, such as the movement of (involuntary) trembling; As for the thought that Allah ﷻ is the Creator of all things and the servant is only an acquirer, they clarified this and said: the directing by the servant of his capability and will to the act is acquisition [*kash*] and Allah's affecting the action thereafter is creation. The same accomplishment is under the two capabilities but in two different directions. The act is accomplished by Allah ﷻ in the direction of effecting and accomplished by the servant in the direction of acquisition. In other words, Allah ﷻ has consistently created the act upon the capability and willing of the servant but not through the servant's capability and will; this combination is acquisition. They evidenced their view with the same *ayāt* that the *Jabriyyah* cited to prove Allah's ﷻ creation of acts and His control on them, and they evidenced acquisition by the servant by the saying of Allah ﷻ,

﴿جَزَاءً بِمَا كَانُوا يَعْمَلُونَ﴾

"As a reward for what they used to do (of good deeds)." [TMQ-Sajdah: 17]

And His ﷻ saying,

﴿فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيَكْفُرْ﴾

"Let him who will, believe, and let him who will, reject (it)" [TMQ-Kahf: 29]

And His ﷻ saying,

﴿لَهَا مَا كَسَبَتْ وَعَلَيْهَا مَا اكْتَسَبَتْ﴾

"*For It is what it earns, and upon it is what it earns."* [TMQ-Baqarah: 286]

They considered themselves as having repudiated the views of the *Mu'tazilah* and the *Jabriyyah*. In reality their view and that of the *Jabriyyah* is one and the same. Their notion of acquisition was a complete debacle. It is neither in accordance with the intellect since there is no rational proof for it, nor is it in accordance with the texts since there is no textual proof for it among the *shar'i* texts. It is no more that a failed attempt to reconcile the views of the *Mu'tazilah* and the *Jabriyyah*.

In summation, the issue of *al-qadā' wa'l-qadar* was a major issue amongst the *Mutakallimīn*, and all of them focused their inquiry on the act of the servant and the attributes resulting therefrom, that is, the attributes which the servant effects in things as result of his actions. Their basis for the inquiry was the act of the servant and the attributes which he affects as result of his action: is it Allah ﷻ who created both (the act and the attributes) or it the servant, and does this occur via the will of Allah ﷻ or via the will of the servant? The cause which gave rise to this inquiry is the adoption of the issue of '*al-qadā' wa'l-qadar*' or '*al-jabr wa'l-ikhtiyār*' or '*hurriyat al-irādah*' from the Greek philosophy by the *Mu'tazilah*, and their discussion of it from a perspective that they deemed consistent with the attribute of Justice neccisitated upon Allah ﷻ. This led to the emergence of the *Jabriyyah* and *Ahl ul-Sunnah* to refute the views of the *Mu'tazilah*, which they did according to the same precepts and on the same basis. All of them discussed the issue from the perspective of the attributes of Allah ﷻ not from the perspective of the subject alone. They applied the Will of Allah ﷻ and His Capability to the act of the servant and to the attributes which the servant affects in things; their subject of inquiry became: are these through the capability and will of Allah ﷻ or are they via the capability and will of the servant?

Al-qadā' wa'l-qadar is, thus, the acts of the servant and the attributes of things which man effects in things as a result of his action. Thus *qadā'* is the act of the servants and *qadar* is the attributes of things. The fact that the *qadā'* is the acts of the servants is evident from their discussion and divergence with regards to it, that is, their saying that the servant carries out the act through his own capability and will, and the saying of those who refuted them that the act is affected by the capability and will of Allah ﷻ, not the capability and will of the servant, and the saying of those who refuted both groups that the act of the servant is effected through the creation of the act by Allah ﷻ at the time of the capability and will of the servant for the act, not by means of the capability and will of the servant. This indicates that the meaning of *qadā'* is the acts of the servants. The fact the *qadar* is the attributes effected by the servant in things is evident from their discussion and divergence with regards to it: when they discussed what results from the acts of the servant, they discussed the attributes that he effects; thus they said: if we add starch to sugar and cook the twain, pudding results: is the taste and the colour of pudding of our creation or is it of the creation of Allah ﷻ? Is the exiting of the *rūh* upon slaughter, the movement of a stone upon pushing, our vision upon opening our eyes, the breakage of a leg upon falling down and it health upon healing etc.: are all these of our creation or of the creation of Allah ﷻ?

This discussion is a discussion of the attributes, a fact also indicated by their divergence regarding the resultants. Bishr ibn al-Mu'tamir, the chief of the *Mutakallimīn* of Baghdad, said, whatever results from our action is of our own creation. Thus if I opened the eye of a person and he saw a thing, then his sighting of the thing is my action because it is resultant from my action. Also the colour of the foodstuffs that we make and their taste and aroma are our actions. Similarly, pain, pleasure, health, lust, etc. are all from the action of man. Abu al-Hudhayl al-'Allāf, one of the prominent *Mu'atazilah*, said, there is a difference between resultants: every thing that results from the action of man and whose process is known is from his action; otherwise it is not. Thus the pain which results from beating and the ascent of a stone when thrown upwards and the descent of it when thrown downwards, and the like are from the action of man. But colours, flavours, heat, coldness, humidity, hardness, cowardice, courage, hunger and satisfaction are all from the actions of Allah ﷻ. An-Nadhām said that what man does is only the movement and thus whatever is not a movement is not from his action. Man does not perform movement except in himself; he does not perform it in others. Thus if one moved his hand this would be his action, but if he threw a stone and it went upwards or downwards, the movement of the stone it not from the action of man but from the action of Allah ﷻ, which means that He ﷻ made it intrinsic in the stone to move if pushed by someone, and so forth. Thus the formation of colours, flavours, odours, pain and pleasure are not from the action of man because they are not movements. Thus this divergence with regards to the issue of causality indicates that in reality it is the controversy is regarding the attributes of things: are they from the action of man or are they from Allah ﷻ ?

The discussion thus and the controversy in this discussion is indeed in the attributes effected by man in things. Thus the discussion carried on one and the same topic and according to the same precepts by all of the *Mutakallimīn*. Due to the fact that the discussion on the resultants from actions, that is, on the attributes affected in things by man, was branchial, being built on the discussion of the acts of the servant; it was marginal in the controversy between the *Mu'tazilah*, *Ahl ul-Sunnah* and the *Jabriyyah*. The discussion over the act of the servant was predominant amongst the *Mutakallimīn*. Debate and discussion were focused on it more than they were on the attributes. Since *al-qadā' wa'l-qadar* is one name of one referent, albeit a composite of two words which are amalgamated, one of them being a subordinate of the other, the discussion of the *al-qadā' wa 'l-qadar* later on focused more on the acts of the servant than it did on the attributes effected by man. The discussion on *al-qadā' wa 'l-qadar* continued and each came to understand it in a way different from the others. After the key scholars of the *Mu'tazilah* and the key scholars of *Ahl ul-Sunnah* came with their disciples and their followers; the discussion continued and was

renewed in every era. Due to the diminution of the *Mu'tazilah* and the dominance of *Ahl ul-Sunnah*, the debate tilted to the views of *Ahl ul-Sunnah*. Debaters, who disagreed over *al-qadā' wa'l-qadar*, continued to ascribe to it conceived meanings of their own, and to attempt to apply to it linguistic or *shar'i* terminology. Thus some of them said that *al-qadā' wa'l-qadar* is one of the secrets of Allah that no one knows (its true meaning); others said that discussing *al-qadā' wa'l-qadar* was absolutely impermissible because the Messenger prohibited this, evidencing this with the *hadīth*, **"If *qadar* is mentioned, leave it"**; others came to differentiate between *al-qadā'* and *al-qadar*. They said that *al-qadā'* was the general rulings in the general and the *al-qadar* was the specific rulings in the particulars and their details. Others said that *al-qadā'* was the planning and *al-qadar* was the execution; according to this view Allah ﷻ plans the act, that is, He ﷻ draws it up, produces it design and thus proportions the act with is attributes, and this is *al-qadar*; He ﷻ then executes the act and accomplishes it, and this is *al-qadā'*. Some others said that the meaning of *qadar* is *taqdīr* and the meaning of *al-qadā'* is creation. Some considered the two words inseparable and said *al-qadā'* and *al-qadar* are two associated matters which are inseparable because one of them represents the basis, namely the *qadar* and the other represents the building, namely the *qadā'*; anyone who seeks to separate them, in doing so seeks to cause the downfall of the building. Some others differentiated between them and said that *al-qadā'* was one thing and *al-qadar* was another.

Thus the discussion continued on the issue of *al-qadā' wa'l-qadar* as a specific entity, whether be it amongst those who treated them as separate or those who held them to be inseparable. Yet it had only one referent for all of them, irrespective of the interpretation of it, namely, the act of the servant with regard to its creation: is it created by Allah ﷻ or is it created by the servant, or is it created by Allah ﷻ at the same time the servant performs it? The discussion crystallised and focused on this referent and continued according to the same precepts. After this discussion began, the issue of *al-qadā' wa'l-qadar* came to be classified as a topic of *'aqīdah* (creed). It was made as a sixth matter of *'aqīdah* (creed) because it dealt with an issue pertaining to Allah ﷻ, with regard to His ﷻ Creation of the acts and His ﷻ Creation of the attributes of things, irrespective of whether the act or the attributes are good or evil.

It thus becomes evident that *al-qadā' wa'l-qadar* considered as one term referring to one referent, or in their own words considered as 'two concomitant matters', never existed in the discussions of the Muslims except after the emergence of the *Mutakallimin*. It also becomes evident that there are only two viewpoints in this regard, that is, concerning *al-qadā' wa'l-qadar*: first, freedom of choice, which is the viewpoint of the *Mu'tazilah*, and second, compulsion, which is the viewpoint of the *Jabriyyah* and *Ahl-us-Sunnah*, with the difference between them being only is the use of different conceptions and words. The Muslims settled on these two views and were diverted from the position of the Quran and the *Hadīth* and what the *Sahābah* ﷺ understood from these, to a discussion of a new term: '*al-qadā' wa'l-qadar*' or '*al-jabr wa'l-ikhtiyār*' or '*hurriyat al-irādah*' and to a new referent: are the actions created by the servant and according to his will or are they created by Allah ﷻ and according to His ﷻ will? Are the attributes that man effects in things from the action of the servant and his will or are they from Allah ﷻ ? After the presence of this discussion, the issue of *al-qadā' wa'l-qadar* came to be included under the realm of *aqeedah* and was made the sixth matter of *'aqīdah* (creed).

Al-Qadr

The phrase *al-qadā' wa'l-qadar* which the *mutakallimīn* used as the name for a referrent they adopted from the Greek philosophy, had not been used for this meaning before, neither by the linguists or by the *shar'a*. In order to see to what extent to which the linguistic and *shar'i* meaning of *al-qadar* and *al-qadā'* differs from the one given (to these words) by the *mutakallimīn*, we must present their meaning as it came in the Arabic language and the *shar'i* texts.

The word *al-qadar* has been given many meanings. Lingusitically it is said, he considered [*qadara*] the matter and assessed [*qaddara*] it; and, he compared one thing to the other and made the (first) a measure [*miqdār*] of it (the second); and it is said, he set [*qadara*] the thing *qadāratan*, meaning he prepared it and scheduled it. *Qadara'l-amr* : he looked at the matter, arranged it and measured it. *Qadran Allah*: His Majesty. *Qadar Allahu alayhi/lahu'l-amr*: He ﷻ decreed [*qadā'*] and judged. And it is said, upon him is the division [*qadr*] of the provision; and, He made it tight/constricted [*qaddara*] upon his family. *Qadara'l-rajul*: the man thought over his matter in sorting it out and arranging it; and in the *hadīth*

﴿فإن غُمَّ عليكم فاقدروا له﴾

"And if it (the crescent) is concealed from you, then determine [*aqdirū*] it," [Bukhari & Muslim]

That is, complete 30 days.

The word *qadar* came in the Noble Qur'ān in many meanings. Allah ﷻ says

﴿وَكَانَ أَمْرُ اللَّهِ قَدَراً مَّقْدُوراً﴾

"And the command of Allah is a decree [qadarā] determined [maqdūrā]"

[TMQ Ahzāb: 38]

That is, it is an irrevocable matter or definitive inescapable decree; and He ﷻ says:

﴿فَقَدَرَ عَلَيْهِ رِزْقَه﴾

"…then straightens [qadara] to him his means of subsistence" [TMQ-Fajr: 16]

That is, then constricts upon him his means of provision; and He ﷻ says:

﴿فَالْتَقَى الْمَاءُ عَلَى أَمْرٍ قَدْ قُدِرَ﴾

"So the water met (and rose) to the extent that had been decreed [qudir]"

[TMQ -Qamar: 12]

that is, it rose to the level Allah ﷻ had decreed in the *Lawh al-Mahfūdh*, that is, He ﷻ wrote it, namely, the destruction of the people of Nuh by the flood. He ﷻ says:

﴿وَقَدَّرَ فِيهَا أَقْوَاتَهَا﴾

"And He measured [qaddara] its sustenance" [TMQ Fussilat: 10]

That is, He made in therein (the Earth) the growing of the inhabitant's provisions, that is, the attribute of growing the provisions. He ﷻ says:

﴿إِنَّهُ فَكَّرَ وَقَدَّرَ﴾

"He thought and he determined [qaddara]" [TMQ Muddathir: 18]

That is, he thought of what he would say about the Qur'ān and determined in himself what he would say and arranged it. He ﷻ says:

﴿الَّذِي خَلَقَ فَسَوَّى ۞ وَالَّذِي قَدَّرَ فَهَدَى﴾

"Who has created and given order and proportion, who has measured [qaddara] and guided" [TMQ-'A'la: 2-3]

that is, He ﷻ created everything and proportioned it, and determined for every living thing the way to its well-being and guided it to this and made it known to it the way to achieve this, that is, He ﷻ made in every living thing, man and animal, needs requiring satisfaction and He ﷻ guided them to the proper satisfaction of their needs. And He ﷻ says:

﴿وَقَدَّرْنَا فِيهَا السَّيْرَ﴾

"And between them we had appointed stages of journey in due proportion"

[TMQ Saba: 18]

That is, we made in it easiness in journey and made it safe. He ﷻ says:

﴿قَدْ جَعَلَ اللَّهُ لِكُلِّ شَيْءٍ قَدْراً﴾

"Verily, for all things Allah has appointed a due proportion [qadra]"

[TMQ-Talaq: 3]

That is, a proper proportion and planned timing; and He ﷻ says:

﴿إِنَّا كُلَّ شَيْءٍ خَلَقْنَاهُ بِقَدَرٍ﴾

"Verily, everything we have created in proportion and measure [qadar]"

[TMQ Qamar: 49]

That is, with due estimation [*taqdīr*]; and He ﷻ says:

﴿إِلَى قَدَرٍ مَّعْلُومٍ﴾

"For a period [qadar] determined" [TMQ-Mursalāt: 22]

That is, for a determined time; and He ﷻ says:

﴿نَحْنُ قَدَّرْنَا بَيْنَكُمُ الْمَوْتَ﴾

"We have ordained [qadarna] death amongst you" [TMQ-Wāqi'ah: 60]

That is, we made the determination of death amongst you with difference and disparity, so your lives (ages) differ in being short, medium and long. He ﷻ says:

﴿وَمَا نُنَزِّلُهُ إِلاَّ بِقَدَرٍ مَّعْلُوم﴾

"We only send down thereof in due [qadar] and a known measure"

[TMQ-Hijr: 21]

That is, with known measure. He ﷻ says:

﴿قَدَّرْنَا إِنَّهَا لَمِنَ الْغَابِرِينَ﴾

"We ascertained [qadarna] that she will be among those who lag behind"

[TMQ-Hijr: 60]

That is, Our decree was that she would be of those who lag behind; and He ﷻ says:

﴿ثُمَّ جِئْتَ عَلَى قَدَرٍ يَا مُوسَى﴾

"Then you did come here at the time ordained, O Mūsā" [TMQ-TaHa: 40]

That is, you came at a specific time I set for that (coming).

The word *qadar* came in the *Hadīth* with the meaning of the Knowledge of Allah ﷻ and His Determination [*taqdīr*]. It has been narrated from Abu Hurairah ﷺ that he said, the Messenger of Allah ﷺ said,

﴿لا تسأل المرأة طلاق أختها لتستفرغ صفحتها وَلِتُنكَحَ فإن لها ما قُدِّر لها﴾

"A woman should not seek divorce of her sister to terminate her page and in order that she be married (instead), for hers is what has been ordained [*quddira*] for her", [Bukhari]

That is, that which Allah ﷻ has ordained in *Lawh al-Mahfūdh*, that is, that which He ﷻ has decreed and knew of; this being of similar meaning is similar to His ﷻ saying:

﴿عَلَى أَمْرٍ قَدْ قُدِرَ﴾

"… to the extent that had been decreed [qudir]" [TMQ-Qamar: 12]

that is, decreed in the *Lawh al-Mahfūdh*. It has been narrated from Abu Hurairah ﷺ from the Prophet ﷺ that he said,

﴿لاَ يَأْتِ ابْنَ آدَمَ النَّذْرُ بِشَيْءٍ لَمْ يَكُنْ قَدْ قَدَّرْتُهُ وَلَكِنْ يُلْقِيهِ الْقَدَرُ وَقَدْ قَدَّرْتُهُ لَهُ أَسْتَخْرِجُ بِهِ مِنَ الْبَخِيلِ﴾

"The *nadhr* [solemn pledge] will not bring the son of Adam anything that I had not already decreed [*qadartuhu*], but the *qadar* lays it out (the *nadhr*) for him and I had already decreed it for him, by which I extract from the miserly," [Bukhari]

That is, the *nadhr* does not bring son of Adam anything that Allah ﷻ did not already decree and record in the *Lawh al-Mahfūdh*, that is, in His ﷻ knowledge, rather He extracts from the stingy by the *nadhr*. Here, 'I had decreed it' means I had decided it and knew of it; and the *qadar* here is the determination [*taqdīr*] of Allah ﷻ and His ﷻ Knowledge.

Al-Bukhari relates from the way of Abu Hurairah ﷺ that the Messenger of Allah ﷺ said

﴿احتج آدم وموسى، فقال موسى: أنت آدم الذي أخرجت ذريتك من الجنة؟ قال آدم: أنت موسى الذي اصطفاك الله برسالاته وكلامه؟ ثم تلومني على أمر قد قدر علي قبل أن أخلق؟ فحج آدم موسى﴾

"Adam argued with Mūsā. Mūsā said: Are you Adam, the one who brought your offspring out of *Jannah*? Adam said: Are you Mūsā, the one whom Allah chose for His Messages and Speech? Yet you blame me for a matter which had been decreed [*quddir*] for me before I was born. Thus Adam convinced Mūsā." [Bukhari]

That is, it was written for me, meaning, Allah ﷻ knew of it, that is, it was upon the determination of Allah's ﷻ Judgment.

Tawūs said, I heard Abdullah ibn Umar ﷺ saying, the Messenger of Allah ﷺ said:

﴿كُلُّ شَيْءٍ بِقَدَرٍ حَتَّى الْعَجْزِ وَالْكَيْسِ أَوِ الْكَيْسِ وَالْعَجْزِ﴾

"Everything is with *qadar*, even inability and intelligence, or intelligence and inability,"

[Muslim]

That is, everything is according to the determination [*taqdīr*] of Allah ﷻ and His ﷻ Knowledge, that is, He ﷻ has written that in the *Lawh al-Mahfūdh*.

The phrase 'the *qadar* of Allah' has come in the speech of the *Sahabah* ﷺ with the meaning of the *taqdīr* of Allah ﷻ and His ﷻ Knowledge. It is narrated from Abdullah ibn 'Abbas ﷺ that, "Umar ibn al-Khattāb ﷺ left for al-Sham, until he reached *Sawgh* where he met the leaders of the armies, Abu Ubaydah ibn al-Jarrah ﷺ and his companions who informed him that plague had befallen the land of *Sham*. Ibn 'Abbas ﷺ said, Umar ibn al-Khattāb ﷺ said, 'Call for me the first *Muhājirīn*'. So they called them, he consulted them and informed them about the plague that that befallen *Sham*, but they differed. Some of them said, you went out for a matter and we do not think you should change your mind about it. Some others said that you have with you some people and the Companions of the Messenger of Allah ﷺ and we do not think that you should expose them to this plague. Umar said 'Withdraw from me'. He then said, 'Call for me the *Ansār'*, so they called them, he consulted them, and they took the path of the *Muhājirīn*, so they differed like them. He said: 'Withdraw from me.' Then he said, 'Call for me whoever present here of the leaders of Quraish who are of the *Muhajireen* of the Conquest', so they called them and even two men of them did not differ in their opinion to him. They all said, 'We think that you should turn back together with the people who are with you and not expose them to this plague.' Thus Umar announced to the people, 'I will be riding (back) in the morning, so you do the same'. Abu Ubaydah then said, '(Are you) fleeing from the *qadar* of Allah ﷻ ?' Umar replied, 'had someone else said that O Abu Ubaydah; Yes, we are fleeing from the *qadar* of Allah ﷻ to the *qadar* of Allah. What do you think if you had camels and you descended a valley that has two slopes (sides), one of them is fertile and the other barren. Is it not true that if you grazed (in) the fertile one you would do so with the *qadar* of Allah ﷻ, and if you grazed (in) the barren one you would do that with the *qadar* of Allah ﷻ." The *qadar* of Allah ﷻ here means the determination and the knowledge of Allah ﷻ, that is, if you grazed (in) the fertile you did what Allah ﷻ had decreed in the *Lawh al-Mahfūdh* and what He ﷻ did know. Similarly if you grazed in the barren one you did what Allah ﷻ decreed in the *Lawh al-Mahfūdh* and what He ﷻ did know.

It it clear from all this that the word '*qadar*' is a homonym having many meanings, of which include determination [*taqdīr*], knowledge [*'ilm*], arrangement [*tadbīr*], time [*waqt*], preparation [*tahi'ah*] and making an attribute. Yet despite these various meanings, *qadar* did not come in them with the meaning that that the servant does the action by compulsion; nor did it come with the meaning that it is the collective judgement in the partial matters and the details; nor did it come with the meaning that it is one of the secrets of Allah ﷻ. Therefore, the word '*qadar'* has linguistic meanings and the Quran used it with these meanings. The *Hadīth* used it with the meanings used in the Quran. There is no difference in the meanings between those used in the Quran and those used in the *Hadīth*. These are linguist meanings for a term, so the intellect has a no role in that. If there are no *shar'i* meanings, neither in a verse nor in a *hadīth*, other than these meanings, then it should not be said that a conventional meaning is the *shar'i* meaning.

It is clear from all of these meanings that came in the verses that they do not mean the *qadar* over which the *mutakallimūn* differed, and that the purport of the meanings which came in the *ahadīth* is the determination [*taqdīr*] of Allah ﷻ and His ﷻ Knowledge, that is, His ﷻ writing in

the *Lawh al-Mahfūdh*, and they have no connection with the subject of *al-qadā' wa'l-qadar* which the *mutakallimūn* brought up for discussion. As for what al-Tabarani reported with a good [*hasan*] chain from the *hadīth* of Ibn Mas'ūd ﷺ who reported it without mentioning the reference to the Messenger of Allah ﷺ [*marfū'*]:

﴿إذا ذُكِرَ القَدَرُ فأمْسِكُوا﴾

"If the *qadar* is mentioned leave it" [Tabarani]

that is, if the Knowledge of Allah ﷻ or His ﷻ Determination for things are mentioned then do not involve (in discussions) about it, because the fact that the determination of a thing is from Allah ﷻ means that He ﷻ recorded them in the *Lawh al-Mahfūdh*, that is, He ﷻ knew them. The fact that Allah ﷻ is knowing about them is one of the attributes of Allah ﷻ in which *īmān* is obligatory. So the meaning of the *hadīth* is that if it was mentioned that Allah ﷻ is the One who determined the things and He ﷻ knew them, that is, He ﷻ recorded them in the *Lawh al-Mahfūdh*, then do not involve yourself in discussing that, rather abstain from that and submit to it.

Similarly, what was reported from Tawūs that,

﴿أَدْرَكْتُ نَاسًا مِنْ أَصْحَابِ رَسُولِ اللَّهِ صَلَّى اللَّه عَلَيْهِ وَسَلَّمَ يَقُولُونَ كُلُّ شَيْءٍ بِقَدَر﴾

"I reached some of the Companions of the Messenger of Allah ﷺ saying, everything is with *qadar*." [Muslim]

Its meaning is that (everything) is with the Determination of Allah ﷻ, that is, with knowledge from Him ﷻ. Abu Hurairah ﷺ narrates that the Messenger of Allah ﷺ said

﴿وَإِنْ أَصَابَكَ شَيْءٌ فَلاَ تَقُلْ لَوْ أَنِّي فَعَلْتُ كَانَ كَذَا وَكَذَا وَلَكِنْ قُلْ قَدَرُ اللَّهِ وَمَا شَاءَ فَعَل﴾

"…If anything befalls you do not say, 'had I done (this), it would have been such-and-such, but rather say, 'Allah determined [*qaddara*] and He did what He willed,"', [Muslim]

And its meaning is that Allah ﷻ wrote in the *Lawh al-Mahfūdh*, that is, He ﷻ knew. All of these matters are related to the attributes of Allah ﷻ, and that He ﷻ knows the things before they happen, and they occur with *qadar* from him ﷻ, that is, with His ﷻ knowledge. All of this has nothing to do with the subject of *al-qadā' wa'l-qadar*.

Al-Qadā'

It is said in the (Arabic) language *qadā*, *yaqdī*, *qadā'an al-shay'*, meaning he perfected the thing with precision and determination; and it is said he judged [*qadā*] between two disputants, meaning he ruled and decided between them; *al-'amru amdāhu*: the matter, he executed/accomplished it. The word *al-qadā'* has come in the *ayāt* of the Qur'ān in numerous places. Allah ﷻ says:

﴿وَإِذَا قَضَى أَمْراً فَإِنَّمَا يَقُولُ لَهُ كُن فَيَكُونُ﴾

"When He decrees [qadā] a matter, He only says to it: 'Be!' and it is"

[TMQ Baqarah: 117]

That is, when He ﷻ decides a matter it comes into existence without any hesitation or delay; and He ﷻ said:

﴿هُوَ الَّذِي خَلَقَكُمْ مِنْ طِينٍ ثُمَّ قَضَى أَجَلاً﴾

"He it is who has created you from clay, and then has decreed [qadā] a term (for you)" [TMQ-An'ām: 2]

That is, He ﷻ has made for this creation which He ﷻ created from clay a lifespan [*ajāl*] between its coming to being and its termination. He ﷻ said:

﴿وَقَضَى رَبُّكَ أَلاَّ تَعْبُدُوا إِلاَّ إِيَّاهُ﴾

"And your Lord has decreed [qadā] that you worship none but Him"

[TMQ-Isrā': 23]

That is, He ﷻ commanded a definitive command that you should not worship anyone other than Him ﷻ; and He ﷻ said:

﴿وَمَا كَانَ لِمُؤْمِنٍ وَلاَ مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْراً أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ﴾

"It is not for a believer, man or women, when Allah and His Messenger have decreed [qadā] a matter that they should have an option in their decision"

[TMQ-Ahzāb: 36]

That is, He ﷻ ordered with an order and judged with a judgement; and he ﷻ said:

﴿فَقَضَاهُنَّ سَبْعَ سَمَاوَاتٍ﴾

"Then He completed and finished [qadā] from their creation (as) seven heavens"

[TMQ Fussilat: 12]

That is, then he made the heaven with the judgement/condition [*ihkām*] with regards to its nature that it be seven heavens. He ﷻ said:

﴿لِيَقْضِيَ اللَّهُ أَمْراً كَانَ مَفْعُولا﴾

"But (you met) that Allah might accomplish [yaqdi] a matter already ordained"

[TMQ-Anfāl: 42]

That is, that He ﷻ may accomplish a matter which necessarily had to be done; and He ﷻ said:

﴿وَقُضِيَ الأَمْر﴾..

"And the matter has (already) been decided [qudiya]" [TMQ Baqarah: 210]

That is, He ﷻ completed the matter, namely, the matter of their destruction and annihilation, and He ﷻ has brought it to an end; and He ﷻ said:

﴿لِيُقْضَى أَجَلٌ مُسَمّىً﴾

"That a term appointed be fulfilled [yuqdā]" [TMQ An'ām: 60]

That is, that the *ajāl* which He ﷻ has designated for resurrecting the dead and for the accounting of their deeds be completed. He ﷻ said:

﴿لَوْ أَنَّ عِندِي مَا تَسْتَعْجِلُونَ بِهِ لَقُضِيَ الأَمْرُ بَيْنِي وَبَيْنَكُمْ﴾

"Say: If what ye would see hastened were in my power, the matter would be settled [qudiya] at once between me and you" [TMQ-An'ām: 58]

That is, the matter would have been finished and I would have destroyed you instantly; and He ﷻ said:

﴿وَكَانَ أَمْراً مَقْضِيّاً﴾

"*And it is matter decreed [maqdiyya]"* [TMQ Maryam: 21]

that is, it was a matter decided by Allah ﷻ and a judgment which had already been decied, that is, an action which will occur by compulsion regardless of what you desire because it is from the *qadā'* [decree] of Allah ﷻ. He ﷻ said:

﴿كَانَ عَلَى رَبِّكَ حَتْماً مَقْضِيّاً﴾

"This is with your Lord a Decree which must be accomplished [hatman maqdiyya]"

[TMQ Maryam: 71]

Al-Hatm is a verbal noun. He ﷻ made it an inevitable matter when He ﷻ obligated it and when He ﷻ decreed by it, that is, their passing over it (the Fire) is obligated upon; He ﷻ obliged such upon himself and judged by it.

Therefore the word *qadā'* is a homonym having many meanings, including: he made the thing with precision; he executed the matter and made the thing; he ordered with an order and he completed the matter; he made the existence of a matter inevitable and he settled the matter; he finished the matter and he ruled upon it; and he gave a definite matter.

Despite the multiplicity of meanings none of them meant that *al-qadā'* is the judgement of Allah ﷻ on the *kulliyāt* (general matters) only, just as it did not come that *al-qadar* is Allah's ﷻ judgement on the *juz'iyāt* (specific details). Therefore, the word *qadā'* has linguistic meanings which the Qur'ān used and there is no disagreement here about the meanings that have come. These meanings are linguistic; the mind has nothing to do with them. If '*al-qadā*' has a *shar'i* meaning then this meaning must have come in a *hadīth* or *ayāh* for it to be said that this meaning is a *shar'i* meaning, yet no other meanings than these have come. Therefore the purport of '*al-qadā*" that has come in the *ayāt* is not the subject of *al-qadā' wa'l-qadar* over which the *Mutakallimūn* differed. These verses have nothing to do with the inquiry of *al-qadā' wa'l-qadar* just as the *ayāt* and *ahadīth* which contain the meaning of *al-qadar* have nothing to do with the study of *al-qadā' wa'l-qadar*. These *ayāt* and *ahadīth* speak of the attributes of Allah ﷻ and the actions of

Allah ﷻ but *al-qadā' wa'l-qadar* inquires into the action of the servant. The inquriy of these *ayāt* is *shar'i* and their meanings are linguistic but the inquiry of *al-qadā' wa 'l-qadar* with the *mutakallimūn* was rational. These *ayāt* and *ahadīth* are explained by their linguistic or *shar'i* meaning, whilst the inquiry of *al-qadā' wa'l-qadar* is a technical [*istilāhī*] meaning given by the *Mutakallimūn*.

Al-Qadā' wa'l-Qadar

Al-qadā' wa'l-qadar, with this name, that is, by connecting two words together for one meaning, has a specific referent; that is, *al-qadā'* linked to *al-qadar*, by making them two concomitant matters whereby one is not separable from the other, and they have a meaning that is exclusive to them. It is not correct to include in it other than this meaning which has not been used by the *Sahabah* or the *Tabi'een*. By studying the *shar'i* and linguistic texts and studying the sayings of the *Sahabah*, *Tabi'een* and those who came after them from the *Ulama'*, it is apparent that the terms *al-qadā' wa'l-qadar* together, have not been used with a specific technical [*istilāhi*] meaning by any of the *Sahabah* or *Tabi'een*, nor have they come together with a specific technical meaning in the Qur'ān or the *Hadīth*; though they have come together in their linguistic meaning in what al-Bazzār reported from the *hadīth* of Jabir with a *hasan* chain on the authority of the Prophet ﷺ that he said:

﴿أكثر من يموت من أمتي بعد قضاء الله وقدره بالأنفس﴾

"Most of my *Ummah* die after the *qadā'* of Allaah and his qadar with the souls [*anfūs*]."

Therefore this terminological meaning which alludes to this name is not found except from the *Mutakallimūn*, after the first century had passed and after the translation of the Greek philosophy. It did not exist in the time of the *Sahabah* nor was there any dispute or discussion of those two terms as one name for a specific technical meaning.

Throughout the era of the *Sahabah* the Muslims did not know of '*al-qadā' wa'l-qadar'* though the word *qadā'* had come on its own and the word *qadar* had come on its own in the *ahadīth* just as the two had come together in the aforementioned *hadīth* of Jabir, but in all of these cases they had come in the linguistic meaning. They have not come in the technical meaning. The word *qadā'* has come in the *hadīth* of *al-qunut*. Al-Hasan said, the Messenger of Allah ﷺ taught me words I say in the *qunut* of the *witr*, then he mentioned the *du'a* of *qunut*, of which is,

﴿عَلَّمَنِي رَسُولُ اللَّهِ صَلَّى اللَّه عَلَيْهِ وَسَلَّمَ كَلِمَاتٍ أَقُولُهُنَّ فِي الْقُنُوتِ فِي الْوِتْرِ. ومنه: وَقِنِي شَرَّ مَا قَضَيْتَ إِنَّكَ تَقْضِي وَلاَ يُقْضَى عَلَيْكَ﴾

"...and save me from what You have decreed, for You are the one Who Decrees and you are not decreed upon,"

[Reported by al-Darimi , Narrated by al-Hasan ibn Ali]

Its meaning is, protect me from the evil of what you have judged, for you judge what you wish and no one judges over you. The word *qadar* has come in the *hadīth* of Jibrīl in some of its narrations: He ﷺ said,

﴿...وَتُؤْمِنَ بِالْقَدَرِ خَيْرِهِ وَشَرِّهِ...﴾

"And to believe in *al-qadar*, the good and the bad thereof",

[Reported by Muslim, Narrated by Umar ibn al-Khattab]

And in his ﷺ saying

﴿... وَإِنْ أَصَابَكَ شَيْءٌ فَلاَ تَقُلْ لَوْ أَنِّي فَعَلْتُ كَانَ كَذَا وَكَذَا وَلَكِنْ قُلْ قَدَرُ اللَّهِ وَمَا شَاءَ فَعَلَ...﴾

"…If anything befalls you do not say, 'had I done (this), it would have been such-and-such, but rather say, 'Allah determined [*qaddara*] and He did what He willed,"'[Reported by Muslim, Narrated by Abu Hurairah]

The meaning of the word *qadar* in these two *ahadīth* is the Determination [*taqdīr*] and Knowledge of Allah ﷻ, that is, that you should believe that the things have been written by Allah ﷻ in the *Lawh al-Mahfūdh* and He ﷻ knows of them before they come into existence, whether they be good or bad; and say Allah ﷻ has written this in the *Lawh al-Mahfūdh* and he ﷻ knew it before it came into being and he ﷻ did what he wished. The word *al-qadā'* in the meaning which it came in this *hadīth* or anywhere else it came was not disputed by the Muslims; they did not have discussions with regards to its wording or its import.

As for the word *qadar* in the meaning mentioned in those two *ahadīth*, the Muslims, before the presence of Greek philosophy, did not disagree about it or have discussions with regards to its wording or import. But after the presence of the Greek philosophy amongst the Muslims, a group from *Kufa* arose and said: there is no *qadar*, that is, there is no one who (pre)determines and everything occurs without any previous determination; they were called the *Qadariyyah* and they are the ones who deny the *qadar* and say that Allah ﷻ created the fundamentals of things and then left them, so He ﷻ does not have knowledge of their particulars [*juz'iyāt*]. This is contrary to what has come in the clear text of the Qur'ān which states that Allah ﷻ is the Creator of all things, small or big, fundamental or branchial, and that He ﷻ determined everything before its existence, that is, He ﷻ wrote it in the *Lawh al-Mahfūdh*, that is, He ﷻ knew it before it came to be. He ﷻ said:

﴿وَخَلَقَ كُلَّ شَيْءٍ وَهُوَ بِكُلِّ شَيْءٍ عَلِيمٌ﴾

"He created all things and He is the All-Knower of everything"

[TMQ-An'ām: 101]

And

﴿وَيَعْلَمُ مَا فِي الْبَرِّ وَالْبَحْرِ وَمَا تَسْقُطُ مِنْ وَرَقَةٍ إِلاَّ يَعْلَمُهَا وَلاَ حَبَّةٍ فِي ظُلُمَاتِ الأَرْضِ وَلاَ رَطْبٍ وَلاَ يَابِسٍ إِلاَّ فِي كِتَابٍ مُبِينٍ﴾

"And He knows whatever there is in the Earth and in the sea: not a leaf falls, but He knows it. There is not a grain in the darkness of the Earth nor anything fresh or dry, but is written in a Clear Record." [TMQ-An'ām: 59]

However, this disagreement and discussion is only with respect to the '*qadar* of Allah' in terms of His ﷻ Knowledge. So the *Qadariyyah* claimed that Allah ﷻ knows the fundamentals of things but not their partial aspects, whilst Islam states that Allah ﷻ knows the fundamentals of things as well as their partial aspects. Thus, the discussion with respect to the *qadar* of Allah ﷻ, that is, His Knowledge, is about the subject of Allah's Knowledge. It is a subject different to that of *al-qadā' wa'l-qadar*. It is a different discussion, separate from the discussion of *al-qadā' wa'l-qadar*. Its reality that took place is the same, that is, it is a different subject to that of *al-qadā' wa'l-qadar*.

Thus, it is plainly apparent that the words *al-qadā'* and *al-qadar* have each come on their own with each having a specific meaning. They do not have any relation with the study of *al-qadā' wa'l-qadar*. In other words, the word *al-qadā'* in all its linguistic and *shar'i* meanings that have come from the Legislator, and the word *al-qadar* in all its linguistic and *shar'i* meanings that have come from the Legislator, have no relation to any of these terms, whether mentioned alone or together, in the discussion of *al-qadā' wa'l-qadar*. They are confined with regards to their meaning, to that what they come with from the linguistic and shar'i meanings.

The *ayāt* which have come in demonstrating the Knowledge of Allah ﷻ are the ones that indicate the all-encompassing nature of Allah's ﷻ Knowledge with regards to all things, thus His ﷻ saying:

﴿مَا أَصَابَ مِنْ مُصِيبَةٍ فِي الأَرْضِ وَلاَ فِي أَنْفُسِكُمْ إِلاَّ فِي كِتَابٍ مِنْ قَبْلِ أَنْ نَبْرَأَهَا إِنَّ ذَلِكَ عَلَى اللَّهِ يَسِير﴾

"No calamity befalls on the Earth or in yourselves but is inscribed in a Book, before We bring it into existence. Indeed, that, upon Allah, is easy"

[TMQ-Hadīd: 22]

And His ﷻ saying,

﴿قُلْ لَنْ يُصِيبَنَا إِلاَّ مَا كَتَبَ اللَّهُ لَنَا هُوَ مَوْلاَنَا وَعَلَى اللَّهِ فَلْيَتَوَكَّلِ الْمُؤْمِنُونَ﴾

"Say: 'Nothing shall ever happen to us except what Allah has ordained for us. He is our Mawla.' Then in Allah let the believers put their trust"

[TMQ Tawba: 51]

And His ﷻ saying,

﴿لَا يَعْزُبُ عَنْهُ مِثْقَالُ ذَرَّةٍ فِي السَّمَاوَاتِ وَلَا فِي الْأَرْضِ وَلَا أَصْغَرُ مِنْ ذَلِكَ وَلَا أَكْبَرُ إِلَّا فِي كِتَابٍ مُبِينٍ﴾

"Escapes not from His Knowledge even the weight of an atom, in the Heavens or in the Earth, or less than that, or greater, but it is in a Clear Book"

[TMQ Saba: 3]

And His ﷻ saying,

﴿وَهُوَ الَّذِي يَتَوَفَّاكُمْ بِاللَّيْلِ وَيَعْلَمُ مَا جَرَحْتُمْ بِالنَّهَارِ ثُمَّ يَبْعَثُكُمْ فِيهِ لِيُقْضَى أَجَلٌ مُسَمًّى ثُمَّ إِلَيْهِ مَرْجِعُكُمْ ثُمَّ يُنَبِّئُكُمْ بِمَا كُنتُمْ تَعْمَلُونَ﴾

"It is He, Who takes your souls by night, and (Who) has knowledge of all that you have done by day, then He raises (wakes) you up again that a term appointed be fulfilled, then unto Him will be your return. Then He will inform you what you used to do" [TMQ An'ām: 60]

These verses were revealed to the Messenger ﷺ and they were memorised and understood by the *Sahabah*, it did not occur to them to discuss *al-qadā' wa'l-qadar*. Furthermore, the wording, understanding and indication of these verses states that they are a clarification about the Knowledge of Allah ﷻ and have no relation to the study of *al-qadā' wa'l-qadar*. Similarly the *ayah*,

﴿وَإِنْ تُصِبْهُمْ حَسَنَةٌ يَقُولُوا هَذِهِ مِنْ عِنْدِ اللَّهِ وَإِنْ تُصِبْهُمْ سَيِّئَةٌ يَقُولُوا هَذِهِ مِنْ عِنْدِكَ قُلْ كُلٌّ مِنْ عِنْدِ اللَّهِ فَمَالِ هَؤُلاَءِ الْقَوْمِ لاَ يَكَادُونَ يَفْقَهُونَ حَدِيثاً﴾

"And if some good reaches them, they say, 'This is from Allah', but if some evil befalls them, they say, 'This is from you'. Say: 'All things are from Allah'; so what is wrong with these people that they fail to understand any word?'

[TMQ-Nisā': 78]

It has nothing to do with the discussion of *al-qadā' wa'l-qadar* because it is a refutation of the *kuffār* who differentiated between bad and good. Thus, they made bad to come from the Messenger ﷺ and good from Allah ﷻ. So Allah ﷻ refuted them by declaring that everything is from Allah ﷻ. The discussion is not about the good that a human being does and the evil that he

pursues; rather the discussion is about fighting and death. The *ayah* itself and that what precedes it clarifies this:

﴿وَقَالُوا رَبَّنَا لِمَ كَتَبْتَ عَلَيْنَا الْقِتَالَ لَوْلاَ أَخَّرْتَنَا إِلَى أَجَلٍ قَرِيبٍ قُلْ مَتَاعُ الدُّنْيَا قَلِيلٌ وَالآخِرَةُ خَيْرٌ لِمَنْ اتَّقَى وَلاَ تُظْلَمُونَ فَتِيلاً، أَيْنَمَا تَكُونُوا يُدْرِكُّمُ الْمَوْتُ وَلَوْ كُنتُمْ فِي بُرُوجٍ مُشَيَّدَةٍ وَإِنْ تُصِبْهُمْ حَسَنَةٌ يَقُولُوا هَذِهِ مِنْ عِنْدِ اللَّهِ وَإِنْ تُصِبْهُمْ سَيِّئَةٌ يَقُولُوا هَذِهِ مِنْ عِنْدِكَ قُلْ كُلٌّ مِنْ عِنْدِ اللَّهِ فَمَالِ هَؤُلاَءِ الْقَوْمِ لاَ يَكَادُونَ يَفْقَهُونَ حَدِيثًا، مَا أَصَابَكَ مِنْ حَسَنَةٍ فَمِنَ اللَّهِ وَمَا أَصَابَكَ مِنْ سَيِّئَةٍ فَمِنْ نَفْسِكَ وَأَرْسَلْنَاكَ لِلنَّاسِ رَسُولاً وَكَفَى بِاللَّهِ شَهِيداً، مَنْ يُطِعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَنْ تَوَلَّى فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظاً﴾

"They say: Our Lord! Why have you ordained for us fighting? Would that you have granted us respite for a short period?' Say: 'Short is the enjoyment of this world. The Hereafter is (far) better for him who fears Allah, and you shall not be dealt with unjustly in the least. Wheresoever you may be, death will overtake you even if you are in fortresses built up strong and high! And if some good reaches them, they say, 'This is from Allah,' but if some evil befalls them, they say, 'This is from you.' Say: 'All things are from Allah', so what is wrong with these people that they fail to understand any word? Whatever of good reaches you, is from Allah, but whatever of evil befalls you, is from yourself. And We have sent you (O Muhammad) as a Messenger to mankind, and Allah is sufficient as Witness. He who obeys the Messenger, has indeed obeyed Allah, but he who turns away, then we have not sent you as a watcher over them."

[TMQ-Nisā': 77-80]

So the subject is what befalls them and not what they are doing. Thus it has nothing to do with the study of *al-qadā' wa'l-qadar*.

Therefore, all that has been mentioned above has nothing to do with the study of *al-qadā' wa'l-qadar*; they do not come under its meaning and have no relation whatsoever with what has been mentioned above. Rather, *al-qadā' wa'l-qadar* as a meaning has come from Greek philosophy which was transmitted by the *Mu'tazilah* who gave an opinion with regards to it. *Ahl al-Sunnah* and the *Jabriyyah* refuted them and *Ahl al-Sunnah* (also) made a refutation of the *Jabriyyah*. The discussion was confined to the same meaning and preceded upon the same premise. Thus the issue is a meaning/sense that came from Greek philosophy and it came to the fore in the debate which used to take place between the Muslims and the *kuffar* who used to be armed with the Greek philosophy. It is a meaning which has a relevance to the *'aqīdah* (creed), thus what is desired is to give Islam's opinion regarding this meaning. The *Mu'tazilah* gave an opinion and the *Jabriyyah* refuted them and gave another opinion. *Ahl al-Sunnah* refuted all of them and gave an opinion, and said about it that it is a third opinion which has come out from the two opinions and they described it as 'the pure milk, sweet to drink, that comes out from between excrement and blood'.

Therefore, the subject of discussion, which came from the Greek philosophy, became known, and since it is related to the *'aqīdah* (creed), the Muslim must be clear as to what his belief is regarding this subject. The Muslims did actually state their opinion and three schools of thought arose. Thus it is not allowed to refer the issue of *al-qadā' wa'l-qadar* to what has come of the meaning of *al-qadā'* or *al-qadar*, linguistically and in the *Shari'ah*, nor is it allowed to imagine or conceive for *al-qadā'* or *'al-qadar* any meaning from mere supposition, conception or imagination, and to say, for example, that *al-qadā'* is the universal judgement on only the universals and *al-qadar* is the universal judgement on the partial aspects and its details, or to say that *al-qadar* is the eternal plan for things and *al-qadā'* is the execution and creation according to that predetermination and plan. Indeed, this is not allowed because this is mere imagination, assumption and a failed attempt of applying certain linguistic and *shar'i* expressions because they

do not apply to it, they rather indicate general meanings; . It would then be an arbitrary action to restrict the two words to these specific meanings without evidence.

Similarly, it is not allowed to claim *al-qadā' wa'l-qadar* is a secret from amongst the secrets of Allah ﷻ and that we have been forbidden to discuss it, because there is no *shar'i* text to say that it is one of the secrets of Allah ﷻ, not to mention the fact that the subject matter is sensorially perceivable, for which an opinion must be given, so how can it be said that it cannot to be studied?! In addition to the fact that it is a rational inquiry and a subject which relates to matters that are studied by the intellect as a reality that is sensorially-perceivable; and since it relates to the *imān* in Allah ﷻ. Thus, *al-qadā' wa'l-qadar*, in the meaning placed as the subject matter and which became part of the *'aqīdah* (creed) must be studied.

The question of *al-qadā' wa'l-qadar*, or in other words, the issue of *al-qadā' wa'l-qadar*, is the actions of the servants and the attributes of things. This is because the issue mentioned is the actions of the servant and what arises from these actions, that is, the attributes brought about by the servant in things: are they the creation of Allah ﷻ ? Is He ﷻ the one who has created them and brought them into being? Or is it the servant? Is the servant the one who created them and brought them into being? The *Mu'tazilah*, all of them, said that the servant is the one who creates his own actions: he is the one who creates the action and brings it into being. They differed about the attributes. Some of them said that the servant is the one who creates all of the attributes that are caused by man and he is the one who brings them into existence. Others differentiated between the attributes. Some of these made them as being created in things by the servant and brought into existence by him and part of them made them as being created in things by Allah ﷻ and brought into existence by Him. As for the *Jabriyyah*, they said that Allah ﷻ creates all the actions of man as well as all the attributes caused by man in things. He is the one who brings them into existence; the servant has nothing to do with the creation and formation of the action or in causing the attribute in the thing. *Ahl us-Sunnah* said that the actions of the servant and the attributes caused in things by the servant are created by Allah ﷻ. But they said that Allah ﷻ creates them while the servant performs the action and the servant causes the attribute. So Allah ﷻ creates them when the servant has the ability and will and not by his own ﷻ ability and will.

This is the issue - the issue of *al-qadā' wa'l-qadar* – and this is a summary of the opinions that have been opined about it. Anyone who scrutinises these views must know the basis on which the discussion has been built such that the discussion is on a common basis. Thus the outcome will be as required by the basis of the discussion and it will not be an incorrect one. The basis of the discussion in *al-qadā' wa'l-qadar* is not the action of the servant in terms of whether he created the action or Allah ﷻ created it, nor is it the will of Allah ﷻ in that His ﷻ will is conditional on the action of the servant so it must exist with this will, nor is it the Knowledge of Allah ﷻ in terms of Him ﷻ knowing that the servant will do such and such an action or that His ﷻ Knowledge encompasses the servant, or that this action of the servant is written in the *Lawh al-Mahfūdh* so he must act according to what has been written. Indeed, the basis of the discussion is definitely none of these things, because they have no relation to the subject from the perspective of reward and punishment; they are related to the question from the perspective of formation from nothing, the connection of the will to all possibilities, the all-encompassing Knowledge of all things and the *Lawh al-Mahfūdh*. This is quite different from the subject of the reward and punishment for an action.The topic of discussion on whose basis the question of *al-qadā' wa'l-qadar* is built is the issue of reward and punishment for an action, that is, is man obliged to perform an action, good or evil, or does he have a choice? And, does man have the choice to perform an action, or does he have no choice? The person who scrutinises the actions of the servants sees that man lives within two spheres: one which he dominates, the sphere that is present within the region of his conduct, and within which his actions happen absolutely by his

choice; the other (sphere) dominates him; he exists within its domain, and the actions that occur within it, whether they originate from him or fall upon him, occur without his choice.

Thus, the actions that fall within the sphere that dominates man, man has no choice in them or in their existence; they are of two types: a type which is a requirement of the laws of the universe, and a type not necessitated by the universal laws, even though all the things (that occur) may not emanate from these laws. As for the actions necessitated by the laws of the universe, man submits to them totally; he acts according to them as a matter of compulsion, because he moves with the Universe and Life, which are subjected to a specific regulation, which does not change. Subsequently, man's actions in this sphere occur without his will, he is forced in these actions and has no choice. He came to this life without his will and he will leave it without his will; he cannot fly merely by the use of his own body, nor can he walk in his natural form on water, nor choose for himself the colour of his eyes, the shape of his head or the size of his body. Indeed, it was Allah ﷻ who created all of this without any influence or relation from the created man, because Allah ﷻ created the laws of the Universe, made them regulate the universe and made the universe act according to them without having the ability to change. As for the second type, they are actions which happen beyond man's control, which he cannot avoid and which are not related to the laws of the universe; they are the actions which occur either unintentionally through him or upon him and which he cannot avoid, such as if someone falls on a person and thus kills him, or if someone shoots at a bird and unintentionally hits a person and kills him, or if a car, train or plane should crash, without any possibility to avoid the incidents, and as a result the passengers die. All these examples are actions which occurred from a man or upon him - though they are bound by the laws of the universe - they happened without his will and outside his ability to control them, and they are within the sphere that dominates man.

All the actions which occur within the sphere that dominates man are termed *qadā*, because Allah ﷻ alone has decreed them, and has not given the servant the freedom of will in such actions; he has no choice with regards to them. Therefore man is not reckoned on these actions, whether, with respect to man, there is benefit or harm in them or like or dislike, that is, regardless of whether they are, according to man, good or bad; Allah ﷻ alone knows the good and bad in these actions, because man has no influence on them; he does not know them or how they are brought into existence, and he is absolutely unable to avoid and bring them about. Therefore there is no reward or punishment for them. Thus this is *qadā'*, and it is therefore said that the action happened by *qadā'*. It is upon man to have *imān* in this *qadā'* and that this *qadā'* is from Allah ﷻ, the Glorified and Exalted.

As for the actions that occur in the sphere that man dominates, it is the sphere in which he proceeds with choice according to the system he chooses, whether it is the *Sharī'ah* of Allah ﷻ or any other. This sphere is the one in which actions carried out by man or involving him occur by his will. Thus he walks, eats, drinks and travels anytime he likes; likewise he refrains from doing any of these things whenever he likes; he also burns with fire and cuts with a knife when he chooses, and he satisfies his instincts of procreation, ownership and hunger as he likes. All this he performs or abstains from, by his choice. Therefore, man is accountable on actions which occur within this sphere. Thus, he is rewarded for the action deserving reward and is punished for the action deserving punishment. These actions have nothing to do with *qadā'* nor does it have anything to do with them because man is the one who undertook them with his own will and choice. Therefore, actions of choice do not come under *al-qadā'*.

As for *al-qadar*, it relates to the actions, whether they occur in the sphere which man dominates or in the sphere which dominates him, which occur from or on things through the matter of the universe, man and life, and cause an effect, that is, something results from the action; so this mechanism that man causes in things in terms of attributes, is it created by man or by Allah ﷻ just as He ﷻ has created the things themself. The one who scrutinises this issue will find that

these matters which are caused in things are from the attributes of the things, not from the action of man, as evidenced by the fact that man is not able to form them (i.e these effects) except in the things which possess the (relevant) attribute amongst its attributes. As for the things which do not have the (relevant) attribute amongst their attributes, man is not able to cause in them what he wants. Therefore these matters are not from the actions of man but from the attributes of the things.

Thus, Allah ﷻ has created the things and set [*qaddara*] in them attributes in a manner that nothing else is possible to come from them except what He has set in them, such as setting in the date pit (the attribute) of growing date palm from it and not apple, and such the human sperm to result in humans not any other animal. Allah ﷻ has created specific attributes in things, for example, He created in fire the attribute of burning, in wood the attribute of catching fire, and in the knife the attribute of cutting. He ﷻ made the attributes an essential and perpetual part of the objects in accordance with the Laws of the Universe. When it appears that the attributes are no longer present, it means Allah ﷻ has stripped them off, and such an event would be unusual; it only happens to the prophets as a miracle for them. Likewise, in the manner that Allah ﷻ created attributes for the objects, He ﷻ created in man instincts and organic needs and, as He ﷻ created attributes in objects, He ﷻ created in the instincts and organic needs specific attributes. Hence, in the procreational instinct Allah ﷻ created the sexual inclination, and in the organic needs He ﷻ created the attribute of hunger. He made these attributes adhere to them according to the laws of the universe. The particular attributes that Allah the Exlated has created in objects, instincts and organic needs are called *al-qadar*, because Allah ﷻ alone created the things, instincts and organic needs and determined in them their attributes. Thus when the sexual desire occurs in man, when he sees upon opening his eyes and when the stone goes up when thrown upwards and down when thrown downward, all of this is not by man's action, rather it is by the action of Allah ﷻ; meaning that it is from the nature of the things to be so, that is, Allah ﷻ created them and created particular attributes in them, thus they (the attributes) are from Allah ﷻ and are not from man; man has nothing to do with them, nor can he effect them in any way. This is *al-qadar*, and it is thus said that *al-qadar* in the subject of *al-qadā' wa'l-qadar* is the attributes of the things which man causes in them. It is upon man to have *imān* in that the one who determined the attributes in these things is Allah ﷻ.

Hence *al-qadā' wa'l-qadar* are the actions which occur in the sphere that dominates man, irrespective of whether they are a requirement of the Laws of the Universe or not, or if they emanate from him or fall upon him, and the attributes which results in the objects. The meaning of *imān* in *al-qadā' wa'l-qadar*, both the good and the bad thereof being from Allah ﷻ, is (having) *imān* in that the actions which occur from him or upon him against his will, and he has no power to drive them away, and the attributes which man causes in the object are from Allah ﷻ and are not from the servant, nor does he have anything to do with them. Thus the actions with regards to which man has a choice are excluded from the subject of *al-qadā' wa'l-qadar*, because these actions occur from man or upon him by his choice, and because when Allah ﷻ created man and created the attributes in the objects and in the instincts and the organic needs, and created in man the distinguishing intellect, He ﷻ gave him the choice to carry out the action, or abstain from it, and He ﷻ did not oblige him to do or not do it. Nor did He ﷻ make in the attributes of things, or in the instincts and organic needs anything that obliges man to do or not to do the action. Therefore man has the choice to carry out the action or abstain from it by way of the distinguishing mind that Allah ﷻ bestowed him with, and He ﷻ made the (sound) intellect the criteria of the accountabilty. Therefore He ﷻ set for man reward for doing good, because his mind chose to carry out the orders of Allah ﷻ and abstain from his ﷻ prohibitions, and He ﷻ also set for him punishment for doing bad, because his mind chose to disobey the the orders of Allah ﷻ and commit what He ﷻ had prohibited. So his accounting on such actions is true and

just, because man has the choice to carry out the actions and is not compelled to do so; and *al-qadā' wa'l-qadar* has nothing to do with this matter, it is a question of the man himself doing his action by choice. Therefore man is accountable for what he earns,

﴿كُلُّ نَفْسٍ بِمَا كَسَبَتْ رَهِينَةٌ﴾

"Every soul is a pledge for what it earns," [TMQ Muddathir: 38]

Guidance and Misguidance

Hudā [guidance] linguistically means integrity of conduct [*rashad*] and showing the way [*dalālah*]. It is said, 'he guided him to the *deen*', meaning he led him to guidance; 'I showed him the way and the home' [meaning to inform him]. Abberance [*Dhalāl*] is the opposite of consciousness [*rashad*]. *Hidāyah*, in its *shar'i* meaning, is to be guided to Islam and to have *imān* in it; *dhalāl*, in its *shar'i* meaning, is the deviation from Islam, as in the saying of the Prophet ﷺ,

﴿إن الله لاَ يجْمَعُ أُمَّتِي عَلَى ضَلاَلَةٍ﴾

"My *Ummah* will not gather on a *dhalālah*," [Ahmad]

Allah has made the *Jannah* for those who have the *hidāyah* and the *Nār* (fire) for those who are on error [*dhalāl*], that is, Allah ﷻ will reward the one who attained the *hidāyah* and punish the one who is on error [*dhalāl*]. The connecting of reward or punishment to *hudā* and *dhalāl* indicates that *hudā* and *dhalāl* are from the actions of man and are not from Allah ﷻ. If they were from Allah ﷻ He ﷻ would not rewarded people for having *hidāyah* and punish them for being on the *dalāl*, because this would be oppression on the part of Allah ﷻ, since when he ﷻ punishes someone whom He ﷻ has caused to go astray, He has done injustice to him. Allah is Exalted High above such. He ﷻ says,

﴿وَمَا رَبُّكَ بِظَلاَّمٍ لِلْعَبِيدِ﴾

"And your Lord is not unjust to the slaves" [TMQ Fussilat: 46]

And

﴿وَمَا أَنَا بِظَلاَّمٍ لِلْعَبِيد﴾

"And I am not unjust to the slaves" [TMQ Qāf: 29]

However, there are *ayāt* which indicate that *hidāyah* and *dhalāl* should be imputed to Allah ﷻ. So it is understood from them that *hidāyah* and *dhalāl* do not emanate from the servant but are from Allah ﷻ. There are other verses which indicate that *hidāyah*, *dhalāl* and *idhlāl* [causing someone to go astray] are to be ascribed to the servant. From them it is understood that *hidāyah* and *dalāl* are from the servant. These, and other verses, should be understood from a legistlative understanding, meaning, that their legislative reality, for which they were legislated, should be understood. It is apparent, then, that the attribution of guidance and misguidance to Allah ﷻ has a meaning other than the meaning of attributing guidance and misguidance to the servant. Each one is focused on an angle different from the angle on which the other is focused. In this manner the legislative meaning becomes most evident.

Indeed, the verses which attribute misguidance and guidance to Allah ﷻ are explicit in that it is Allah ﷻ who guides and it is He ﷻ Who causes someone to go astray. He ﷻ says,

﴿قُلْ إِنَّ اللَّهَ يُضِلُّ مَنْ يَشَاءُ وَيَهْدِي إِلَيْهِ مَنْ أَنَابَ﴾

"Say: 'Verily, Allah sends astray whom He wills and guides unto Himself those who turn to Him in repentance'" [TMQ-Ra'd: 27]

And,

﴿فَإِنَّ اللَّهَ يُضِلُّ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاءُ﴾

"Verily, Allah sends astray whom He wills, and guides whom He wills" [TMQ Fātir: 8]

And He ﷻ says,

﴿فَيُضِلُّ اللَّهُ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاء﴾

"So Allah sends astray whom He wills and guides whom He wills" [TMQ Ibrāhīm: 4]

And,

﴿وَلَكِنْ يُضِلُّ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاءُ﴾

"But He sends astray whom He wills and guides who He wills." [TMQ Nahal: 93]

And,

﴿فَمَنْ يُرِدِ اللَّهُ أَنْ يَهدِيَهُ يَشْرَحْ صَدْرَهُ لِلإِسْلاَمِ وَمَنْ يُرِدْ أَنْ يُضِلَّهُ يَجْعَلْ صَدْرَهُ ضَيِّقاً حَرَجاً كَأَنَّمَا يَصَّعَّدُ فِي السَّمَاء﴾

"And whomsoever Allah wills to guide, He opens his breast to Islam, and whomsoever He wills to send astray, He makes his breast closed and constricted, as if he were ascending to the sky" [TMQ An'ām: 125]

And He ﷻ says,

﴿مَنْ يَشَإِ اللَّهُ يُضْلِلْهُ وَمَنْ يَشَأْ يَجْعَلْهُ عَلَى صِرَاطٍ مُسْتَقِيم﴾

"Allah sends astray whom He wills and He places unto the Straight Path whom He wills" [TMQ-An'ām: 39]

And,

﴿قُلِ اللَّهُ يَهْدِي لِلْحَقِّ﴾

"Say: 'It is Allah Who guides to the truth'" [TMQ Yūnus: 35]

And,

﴿وَقَالُوا الْحَمْدُ لِلَّهِ الَّذِي هَدَانَا لِهَذَا وَمَا كُنَّا لِنَهْتَدِيَ لَوْلاَ أَنْ هَدَانَا اللَّهُ﴾

"And they say: 'All the praises and thanks be to Allah, Who has guided us to this; never could we have found guidance were it not that Allah guided us!'" [TMQ-'Arāf: 43]

And,

﴿مِنْ آيَاتِ اللَّهِ مَنْ يَهْدِ اللَّهُ فَهُوَ الْمُهْتَدِي وَمَنْ يُضْلِلْ فَلَنْ تَجِدَ لَهُ وَلِيّاً مُرْشِداً﴾

"He whom Allah guides, is rightly guided; but he whom He sends astray, for him you will find no guiding friend to lead him aright" [TMQ Kahf: 17]

And He ﷻ says,

﴿إِنَّكَ لاَ تَهْدِي مَنْ أَحْبَبْتَ وَلَكِنَّ اللَّهَ يَهْدِي مَنْ يَشَاءُ﴾

"Verily! You guide not whom you like (O Muhammad), but Allah guides whom He wills." [TMQ Qasas: 56]

Thus, in these verses there is a clear indication that the one who does the guiding and misguiding is Allah ﷻ and not the servant. This means the servant does not find guidance by himself, rather

when Allah ﷻ guides him he is guided. And when Allah ﷻ sends him astray he goes astray. However, this wording has come with indications [*qarā'in*] which divert the meaning from one of considering the initiation of guidance and misguidance as being from Allah ﷻ, to another meaning, namely, that of the creation of guidance and misguidance as being from Allah ﷻ and that the one who initiates the guidance, misguidance and the sending of someone astray is the servant. As for these indications they are *shar'i* and rational indications. As for the *shar'i* indications, many *ayāt* have come attributing guidance, misguidance and the causing of misguidance to the servant. He ﷻ says,

﴿فَمَنِ اهْتَدَى فَإِنَّمَا يَهْتَدِي لِنَفْسِهِ وَمَنْ ضَلَّ فَإِنَّمَا يَضِلُّ عَلَيْهَا﴾

"So whosoever receives guidance, he does so for the good of his own self, and whosoever goes astray, he does so to his own loss" [TMQ Yūnus: 108]

And,

﴿لاَ يَضُرُّكُمْ مَنْ ضَلَّ إِذَا اهْتَدَيْتُمْ﴾

"If you follow the right guidance no hurt can come to you from those who are in error"

[TMQ Mā'idah: 105]

And,

﴿فَمَنِ اهْتَدَى فَلِنَفْسِهِ﴾

"So whosoever accepts the guidance, it is only for his own self"

[TMQ-Zumar: 41]

And He ﷻ says,

﴿وَأُولَئِكَ هُمُ الْمُهْتَدُونَ﴾

"And it is they who are guided" [TMQ-Baqarah: 157]

And,

﴿وَقَالَ الَّذِينَ كَفَرُوا رَبَّنَا أَرِنَا الَّذَيْنِ أَضَلاَّنَا مِنْ الْجِنِّ وَالإِنْسِ﴾

"And those who disbelieve will say, 'Our Lord! Show us those among the jinn and men who led us astray'"

[TMQ Fussilat: 29]

And,

﴿قُلْ إِنْ ضَلَلْتُ فَإِنَّمَا أَضِلُّ عَلَى نَفْسِي﴾

"Say: 'If I go astray, I shall stray only to my own loss'" [TMQ Saba: 50]

And He ﷻ says,

﴿فَمَنْ أَظْلَمُ مِمّنِ افْتَرَى عَلَى اللَّهِ كَذِباً لِيُضِلَّ النَّاسَ بِغَيْرِ عِلْمٍ﴾

"Then who does more wrong than one who invents a lie upon Allah, to lead mankind astray without knowledge"

[TMQ-An'ām: 144]

And,

﴿رَبَّنَا لِيُضِلُّوا عَنْ سَبِيلِكَ﴾

"Our Lord! That they may lead men astray from your Path" [TMQ Yūnus: 88]

And,

﴿وَمَا أَضَلَّنَا إِلاَّ الْمُجْرِمُونَ﴾

"And none has brought us into error except the Mujrimūn" [TMQ Shurā: 99]

And He ﷻ says,

﴿وَأَضَلَّهُمْ السَّامِرِيُّ﴾

"Al-Samiri led them astray" [TMQ Tā Hā: 85]

And,

﴿رَبَّنَا هَؤُلاَءِ أَضَلُّونَا﴾

"Our Lord! These (people) misled us" [TMQ 'Arāf: 38]

And,

﴿وَدَّتْ طَائِفَةٌ مِنْ أَهْلِ الْكِتَابِ لَوْ يُضِلُّونَكُمْ وَمَا يُضِلُّونَ إِلاَّ أَنْفُسَهُمْ﴾

"A party of the people of the Scripture wish to lead you astray. But they shall not lead astray anyone except themselves" [TMQ Imrān: 69]

And He ﷻ says,

﴿إِنَّكَ إِنْ تَذَرْهُمْ يُضِلُّوا عِبَادَكَ﴾

"If You leave them, they will mislead Your slaves" [TMQ Nūh: 27]

And,

﴿مَنْ تَوَلاَّهُ فَأَنَّهُ يُضِلُّهُ وَيَهْدِيهِ إِلَى عَذَابِ السَّعِيرِ﴾

"Whosoever follows him, he will send him astray, and lead him to the torment of the Fire" [TMQ Hajj: 4]

And,

﴿وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُم﴾

"But Shaytān wishes to lead them astray" [TMQ Nisā': 60]

So in the wording of these verses there is a clear indication that the human being is the one who performs the act of guidance and misguidance, thus he sends himself astray and he sends others astray and the *Shaytān* also sends people astray. So guidance and misguidance has come to be attributed to man and *Shaytān* and that man guides himself and sends himself astray. This is an indication [*qarinah*] that the attribution of guidance and misguidance to Allah ﷻ is not one of intiation [*mubāsharah*] but rather it is one of creation [*khalq*]. If you place the *ayāt* together and understand them in a legislative manner, then the departure of each verse from the direction of the other becomes clear. Thus the *ayah* says,

﴿قُلِ اللَّهُ يَهْدِي لِلْحَقِّ﴾

"Say: 'It is Allah Who guides to the truth'" [TMQ Yūnus: 35]

And the other *ayah* says,

﴿فَمَنِ اهْتَدَى فَإِنَّمَا يَهْتَدِي لِنَفْسِهِ﴾

"So whosoever receives guidance, he does so for the good of his own self"

[TMQ Yūnus: 108]

The first *ayah* indicates that Allah ﷻ is the one who guides and the second indicates that man is the one who guides himself. The guidance of Allah ﷻ in the first verse is about creating the guidance in the human being, that is, creating the capacity for guidance. The second *ayah* indicates that the human beeing is the one who intiates what Allah has created in terms of the capacity for guidance and so he guides himself. That is why He ﷻ says in the another *ayah*,

﴿وَهَدَيْنَاهُ النَّجْدَيْنِ﴾

"And (have We not) shown him the two ways" [TMQ Balad: 10]

That is, the path of good and the path of evil, that is, we have given him the capacity for guidance and we have left him to intiate his own guidance. So these *ayāt* which attribute *hidāyah* and *dhalāl* to man are a *shar'i* indication indicating upon the diverting of the intitiation of guidance from Allah ﷻ to the servant. As for the rational indication, Allah ﷻ takes people to account: he rewards the one who is guided and punishes the misguided, and He has set the reckoning according to the actions of human beings. He ﷻ says,

﴿مَنْ عَمِلَ صَالِحاً فَلِنَفْسِهِ وَمَنْ أَسَاءَ فَعَلَيْهَا وَمَا رَبُّكَ بِظَلاَّمٍ لِلْعَبِيدِ﴾

"Whosoever does righteous deeds it is for (the benefit of) his own self, and whosoever does evil, it is against his own self, and your Lord is not at all unjust to (His) slaves"

[TMQ Fussilat: 46];

And,

﴿فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْراً يَرَهُ، وَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرّاً يَرَه﴾

"So whosoever does good equal to the weight of an atom, shall see it. And whosoever does evil equal to the weight of an atom, shall see it"

[TMQ Zalzalah: 7]

And,

﴿وَمَنْ يَعْمَلْ مِنَ الصَّالِحَاتِ وَهُوَ مُؤْمِنٌ فَلاَ يَخَافُ ظُلْماً وَلاَ هَضْماً﴾

"And he who works deeds of righteousness, while he is a believer, then he will have no fear of injustice, nor of any curtailment (of his reward)"

[TMQ Tā Hā: 112]

And He ﷻ says,

﴿مَنْ يَعْمَلْ سُوءاً يُجْزَ بِهِ﴾

"Whosoever works evil, will have the recompense thereof" [TMQ Nisā': 123]

And,

﴿وَعَدَ اللَّهُ الْمُنَافِقِينَ وَالْمُنَافِقَاتِ وَالْكُفَّارَ نَارَ جَهَنَّمَ خَالِدِينَ فِيهَا﴾

"Allah has promised the hypocrites, men and women, and the disbelievers, the Fire of Hell, therein shall they abide forever" [TMQ Tawba: 68]

For if the meaning of ascribing guidance and misguidance to Allah ﷻ is that He ﷻ initiates it, then His punishing the *kāfir*, *munāfiq* and disobedient would constitute injustice; Exalted is Allah far above such. Thus it is necessary to divert its meaning to something other than initiation, namely, (to) the creation of guidance from nothing. Harmony with this is maintained if the one who initiates guidance and misguidance is the servant, and therefore he is accounted for it.

This is with respect to the *ayāt* in which guidance and misguidance is ascribed to Allah ﷻ. As regards verses in which guidance and misguidance is linked to His Will,

﴿يُضِلُّ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاء﴾

"Verily, Allah sends astray whom He wills, and guides whom He wills"

[TMQ Fātir: 8]

The meaning of his will here is intention [*irādah*]. The meaning of these verses is that no one guides himself by force against Allah's Will and nor does anyone forcibly go astray against His Will. Rather the one who finds guidance is the one who finds guidance by the Volition and Will of Allah and the one who goes astray goes astray by the Volition and Will of Allah.

Remaining is the question of the *ayāt* from which it is understood that there are people who will never be guided, such as His saying,

﴿إِنَّ الَّذِينَ كَفَرُوا سَوَاءٌ عَلَيْهِمْ ءَأَنذَرْتَهُمْ أَمْ لَمْ تُنذِرْهُمْ لاَ يُؤْمِنُونَ، خَتَمَ اللَّهُ عَلَى قُلُوبِهِمْ وَعَلَى سَمْعِهِمْ وَعَلَى أَبْصَارِهِمْ غِشَاوَةٌ﴾

"Verily, those who disbelieve, it is the same to them whether you warn them (O Muhammad) or do not warn them, they will not believe. Allah has set a seal on their hearts and on their hearings, and on their eyes there is a covering" [TMQ Baqarah: 6-7]

And,

﴿كَلاَّ بَلْ رَانَ عَلَى قُلُوبِهِمْ﴾

"Nay! But on their hearts is a covering [rān]" [TMQ Mutaffifīn: 14]

And His ﷻ saying,

﴿وَأُوحِيَ إِلَى نُوحٍ أَنَّهُ لَنْ يُؤْمِنَ مِنْ قَوْمِكَ إِلاَّ مَنْ قَدْ آمَنَ﴾

"And it was inspired to Nuh: 'None of your people will believe except those who have believed already'"
[TMQ Hūd: 36]

These verses are a notification [*ikhbār*] from Allah ﷻ to His Prophets about specific people that they will not believe, so this comes under the Knowledge of Allah ﷻ. The notification does not mean there is a group which will believe and a group which will not believe. Rather, every human being has the capacity to aquire *imān* . The Messenger and the *da'wah* carriers after him address all the people with the call to *imān*. It is not allowed for the Muslim to despair about anyone's (having) *imān*. As for what has come before in the Knowledge of Allah ﷻ that he will not believe, Allah ﷻ knows this because His ﷻ Knowledge encompasses everything; what Allah ﷻ has not informed us about what He ﷻ knows, it is not allowed for us to pass judgement. The

Prophets did not pass jusgement that someone will not believe except after Allah ﷻ had informed them of this.

As for His ﷻ saying,

﴿وَاللَّهُ لاَ يَهْدِي الْقَوْمَ الْفَاسِقِين﴾

"And Allah guides not the transgressing people [fāsiqīn]" [TMQ Mā'idah: 108]

And His ﷻ saying,

﴿وَاللَّهُ لاَ يَهْدِي الْقَوْمَ الظَّالِمِين﴾

"And Allah guides not the unjust people [dhālimīn]" [TMQ Imrān: 86]

And,

﴿وَاللَّهُ لاَ يَهْدِي الْقَوْمَ الْكَافِرِينَ﴾

"And Allah guides not the disbelieving people [kāfirīn]" [TMQ Baqarah: 264]

And His ﷻ saying,

﴿إِنْ تَحْرِصْ عَلَى هُدَاهُمْ فَإِنَّ اللَّهَ لاَ يَهْدِي مَنْ يُضِلُّ﴾

"If you covet their guidance (O Muhammad), then verily Allah guides not those whom He sends astray" [TMQ Nahl: 37]

And,

﴿إِنَّ اللَّهَ لاَ يَهْدِي مَنْ هُوَ مُسْرِفٌ كَذَّابٌ﴾

"Verily, Allah guides not one who is a prodigal [musrif], a liar!" [TMQ Ghāfir: 28]

These verses mean that Allah ﷻ does not grant them guidance since the granting of guidance comes from Allah ﷻ. The *fāsiq*, *dhālim*, *kāfir*, *dāl*, *musrif* and *kadhāb*, all of them are characterised by attributes which are not consistent with guidance and Allah ﷻ will not grant guidance to the one who has such an attribute, because the granting of guidance is on the basis of the human being attaining its means. The one who is characterised with these attributes does not have these means [*asbab*], rather they have the means [*asbāb*] of misguidance; pointing to this, is the saying of Allah ﷻ,

﴿اهْدِنَا الصِّرَاطَ الْمُسْتَقِيم﴾

"Guide us to the Straight Way" [TMQ Fatihah: 6]

And His ﷻ saying,

﴿وَاهْدِنَا إِلَى سَوَاءِ الصِّرَاط﴾

"And guide us to the Right Way" [TMQ Sād: 22]

That is, give us *tawfiq* so that we may be guided, that is, facilitate for us the means [*asbāb*] of this guidance.

The Termination of the Life-Span [*ajāl*] is the Sole Cause of Death

Many people think that death, even though it takes place (only) once, has more than one cause. They say the causes vary but death occurs only once. They take the view that death can occur from a terminal illness such as pestilence for example, or it may occur by the stabbing of a knife, being hit by a bullet, burned by fire or the head being chopped off etc. For them these are all direct causes which lead to death, that is, death occurs in consequence of them. That is why they proclaim these things are the causes of death. Accordingly, death occurs when these things take place, and it does not occur when they do not take place. So, in their view, death occurs due to the presence of these causes and not because the life-span [*ajāl*] has terminated, even though with their tongues they say man dies due to his *ajāl*. The causes of death are these things and not Allah ﷻ even if they say with their tounges that Allah ﷻ is the one who gives life and the one who cause death.

The truth is that death is one and its cause is also one, namely, the termination of the *ajāl*, and that it is Allah ﷻ alone who causes death and the direct cause bringing about death is Allah ﷻ. That is because for something to be correctly considered as a cause, it must always produce the effect, and the effect should not result except only by its cause. This is contrary to the condition which is a particular condition with related circumstances under which something usually takes place but which may also fail to transpire and not take place. For instance, life is the cause of movement in animals, when life exists within them movement can be perceived with in them. When life is absent the movement is absent as well. Also for example, energy is the cause of the motor being set in motion. When the energy is present the motor starts, without energy there is no motion. This is contrary to the rain in relation to the cultivation of crops. It is one of the conditions in which plants grow but it is not the cause. That is because rain allows crops to grow, but it may rain and there are no crops. Crops may grow due to only the moisture being retained by the land like the cultivation in the summer which grows without any rain. Similarly, even after the existence of plague or someone having being shot but death might not occur. Death may occur without the presence of any of these things under which death usually takes place.

The one who follows the things from which death occurs and the one who follows death itself can be sure of this from the reality. So he will find that these things - from which death normally results - are present but death does not result. Or death might occur without the presence of any of these things. For example, a person might be fatally stabbed with a knife and all the doctors agree that it is fatal. Then the one stabbed does not die, rather his wound heals and he gets better. Death might also occur without any apparent cause, for instance if someones heart suddenly stops beating without the nature of the condition in which the heart stopped being clear to the doctors after a detailed investigation. Such incidents are many which are known to the doctors. Many a hospital in the world bears witness to thousands of such incidents. Something may happen which usually and definitely leads to death but then the person does not die, and death may occur suddenly without any apparent cause. That is why the doctors say: for so-and-so patient nothing can be done according to medical teaching, however he may get better but this is beyond our knowledge. And they say: so-and-so is not under any risk and he will recover, but he passes the danger period and then his situation suddenly deteriorates and he dies. All of these are realities witnessed and sensed by the people and doctors. They clearly indicate that these things from which death takes place are not causes of death. Since if they were the causes of death they would not fail (to cause death consistently) and death would not occur due to any other cause, that is, death would not occur without a perceptible cause. By their mere failure to cause death even if it is once and by the mere occurance of death without these causes even if only once, indicates definitely that they are not the causes of death but rather

circumstances in which death occurs. The true cause of death which produces the effect is something else and not that. It might be said: yes, these things which take place and in which death takes place are usually circumstances and not causes because they may fail to result in death, however there are causes which are seen and sensed from which death definitely takes place and it does not fail to take place, so that is the cause of death. For example, cutting the neck and removing the head from it definitely results in death, and without fail. When the heartbeat stops death definitely occurs, without fail. These and other such examples of parts of the human body, from which death definitely occurs, are the cause of death. Yes, striking the neck is one of the circumstances of death but not a cause of death and stabbing the heart with a knife is one of the circumstances of death but it is not the cause of death and so forth. But decapitation and the stopping of a heartbeat is a cause of death. So why do we not say that this is the cause of death?

The answer to this is that cutting the neck and removing the head from the body does not occur from the person; it does not occur from the neck itself or the head. It does not happen except by an external factor. It is then not correct to say that severing the neck is a cause. Rather the suspected cause is the thing that did the cutting and not the cutting itself because the cutting did not occur on its own but from an external factor. Similarly, the stopping of the heart beat did not occur by itself rather there must have been an external factor. It is not correct therfore to say that the stopping of the heartbeat is a cause; rather what caused the heart to stop is suspected of being the cause of death and not the stopping of the heart itself because death did not occur by itself but from an external factor. So it is not possible that decapitation and the stopping of the heartbeat can themselves be suspected of being the cause of death. There is no suspected cause of death except the external factor.

Furthermore, Allah ﷻ has created attributes in things. When the attribute is absent then its effect is no more. There will be no attribute without the presence of the object, which is part of its attributes. For example, Allah ﷻ created in the eye the attribute of sight, in the ear the attribute of hearing, in the nerves the attribute of sensation, in fire the attribute of burning and in lemon the attribute of sourness and so forth. The attribute of an object is the natural result of its existence. It is similar to the characteristics/features. For example water, one of its natural charateristics is liquidity and part of its attributes is that it quenches thirst. The motor, for example, one of its natural charateristics is motion and part of its attribute is heat. The heart, one of its natural characteristics is palpitation and part of its attribute is life. Thus quenching thirst, heat and life are the natural characteristics of the object though they are part of its attributes. The presence of an attribute in an object is not the cause of the action which is its effect. Therefore the absence of an attribute is not the cause of the absence of the action which is its effect. This is because the presence of the attribute of buring in fire is not sufficient to produce burning, so it cannot serve as a cause for burning since the presence of the attribute of burning in fire is not a cause for bringing about burning. Therefore, absence of the attribute of burning in fire is not the cause for the absence of burning. Likewise, the presence of the attribute of life in the heart is not enough to produce life. It is not suitable as a cause for life, since the presence of the attribute of life is not a cause for producing life. Therefore, the absence of the attribute of life from the heart is not the cause of the absence of life.

Accordingly, it should not be said that the disappearance of an object is the cause of the disapperance of its attributes. Rather the cause of the disappearance of the object's attribute is a thing that is external to the object itself, (which) makes its attribute go and retains the object devoid of its attribute, or makes the object itself disappear and its attribute with it. Thus, the thing which made the attribute disappear, or the object disappear with it its attribute, is the cause of the disappearance of the attribute, and the object itself is not the cause for the disappearance of its attribute. Therefore, from this angle also, that is, from the angle that life is an attribute of the presence of the head on the body and it is an attribute of the heartbeat, it should not be said

that removing the head from the neck is the cause of death or that the stopping of the heartbeat is the cause of death. Rather the suspected cause is what removed the attribute from the neck by removing it and from the heart by stopping it. It is not the cutting off of the neck or the stopping of the heart. Therefore, damaging a limb, that is, cutting the neck or stopping the heart beat, is not the true cause of death. Because it is impossible for any damage to occur to the limb except by an external factor, and because life is one of its attributes - that is, the limb - it will not go except by an external factor which will remove it - that is, the attribute - or it will remove the limb and with it its attribute. Similarly, the cause of death is not the external factor because it has been proven rationally and from the reality that the external factor may occur but death does not take place. Death may occur without this external factor taking place whilst to be a cause, the effect must invariably result. Thus nothing remains (to be said) except that the true cause of death which definitely produces the effect, which is death, is other than these things.

The mind is not able to be guided to this true cause because it cannot be assessed through sense-perception, therefore Allah ﷻ must inform us of it and establish this knowledge about the real cause of death with an evidence which is definite in authenticity and meaning so that we can believe it, because that is (a matter) related to the beliefs which are not proven except by the definitive evidence. In numerous *ayāt* Allah ﷻ has informed us that the cause of death is the termination of the life-span [*ajāl*] and that it is Allah ﷻ who causes death. So death occurs inevitably due to the (termination of the) *ajāl* without fail. So the *ajāl* is the cause of death and the one who causes death is Allah ﷻ; He is the one who actuates the act of death. This has been mentioned in numerous *ayāt*. He ﷻ says,

﴿وَمَا كَانَ لِنَفْسٍ أَنْ تَمُوتَ إِلاَّ بِإِذْنِ اللهِ كِتَاباً مُؤَجَّلاً﴾

"No soul can ever die except by Allah's leave and at a term appointed"

[TMQ al-Imrān: 145]

That is, he has decreed death for an appointed period and set time which is known and which cannot be delayed or advanced. He ﷻ says,

﴿اللَّهُ يَتَوَفَّى الْأَنفُسَ حِينَ مَوْتِهَا﴾..

"It is Allah Who takes away the souls at the time of their death"

[TMQ Zumar: 42]

That is, He ﷻ is the one who causes the souls' death when they die, and so He ﷻ is the one who takes away the thing by which they have life. He ﷻ says,

﴿رَبِّيَ الَّذِي يُحْيِي وَيُمِيتُ﴾

"My Lord is He Who gives life and causes death" [TMQ Baqarah: 258]

That is, He ﷻ is the one who initiates the creation and bringing about of life and He ﷻ is the one who initiates the act and occurrence of death. He ﷻ says,

﴿اللّهُ يُحْيِي وَيُمِيتُ﴾

"It is Allah that gives life and causes death" [TMQ Imrān: 156]

Allah ﷻ has said this in response to the saying of those who disbelieved. The *ayah* reads,

﴿يَا أَيُّهَا الَّذِينَ آمَنُواْ لاَ تَكُونُواْ كَالَّذِينَ كَفَرُواْ وَقَالُواْ لإِخْوَانِهِمْ إِذَا ضَرَبُواْ فِي الأَرْضِ أَوْ كَانُواْ غُزًّى لَّوْ كَانُواْ عِندَنَا مَا مَاتُواْ وَمَا قُتِلُواْ لِيَجْعَلَ اللّهُ ذَلِكَ حَسْرَةً فِي قُلُوبِهِمْ وَاللّهُ يُحْيِي وَيُمِيتُ وَاللّهُ بِمَا تَعْمَلُونَ بَصِيرٌ﴾

"O you who believe! Be not like those who disbelieve (the hypocrites) and who say to their brethren when they travel through the earth or go out to fight, 'If they had stayed with us, they would not have died or been killed,' so that Allah may make it a cause of regret in their hearts. It is Allah that gives life and causes death, and Allah is All-Seer of what you do" [TMQ Imrān: 156]

That is, the matter is in the hands of Allah ﷻ. He may allow the traveller or fighter to live but cause the one residing and sitting in his house to die as He ﷻ wills. He ﷻ says,

﴿أَيْنَمَا تَكُونُواْ يُدْرِككُّمُ الْمَوْتُ وَلَوْ كُنتُمْ فِي بُرُوجٍ مُّشَيَّدَةٍ﴾

"Wheresoever you may be, death will overtake you even if you are in fortresses built up strong and high" [TMQ Nisā': 78]

That is, wherever you may be, death will catch you even if you are in strong fortresses. He ﷻ says,

﴿قُلْ يَتَوَفَّاكُم مَّلَكُ الْمَوْتِ الَّذِي وُكِّلَ بِكُمْ﴾

"Say, 'The angel of death, who is set over you, will take your souls'" [TMQ Sajdah: 11]

This is in answer to the *kuffar*. Allah ﷻ is saying that they will return to their Lord, so He ﷻ will make them to die when He ﷻ sends the angel of death to take their *rūh*. The *ayah* reads,

﴿قَالُوا أَئِذَا ضَلَلْنَا فِي الْأَرْضِ أَئِنَّا لَفِي خَلْقٍ جَدِيدٍ بَلْ هُم بِلِقَاء رَبِّهِمْ كَافِرُونَ , قُلْ يَتَوَفَّاكُم مَّلَكُ الْمَوْتِ الَّذِي وُكِّلَ بِكُمْ ثُمَّ إِلَى رَبِّكُمْ تُرْجَعُونَ﴾

"And they say, 'When we are lost in the earth, shall we indeed be created anew!?' Nay, but they deny the meeting with their Lord! Say, 'The angel of death, who is set over you, will take your souls, then you shall be brought to your Lord!'"

[TMQ Sajdah: 10-11]

That is, they take your *rūh*, so death takes place when the *rūh* is taken. He ﷻ says,

﴿قُلْ إِنَّ الْمَوْتَ الَّذِي تَفِرُّونَ مِنْهُ فَإِنَّهُ مُلَاقِيكُمْ﴾

"Say, 'Verily, the death from which you flee will surely meet you"

[TMQ Jumu'a: 8]

That is, the death from which you flee and run away from and which you do not have the courage to wish for, fearing that you will have to face the evil consequences of your *kufr*, you will not elude it but it will definitely meet you. He ﷻ says,

﴿وَلِكُلِّ أُمَّةٍ أَجَلٌ فَإِذَا جَاء أَجَلُهُمْ لاَ يَسْتَأْخِرُونَ سَاعَةً وَلاَ يَسْتَقْدِمُونَ﴾

"When their term [ajāl] is reached, they can neither delay it an hour nor advance it"

[TMQ Arāf: 34]

That is, when the life-span which Allah ﷻ has decreed comes to a stop, it cannot be delayed or advanced for an instant. He ﷻ said 'hour' as being representative of the smallest amount of time. He ﷻ says,

﴿نَحْنُ قَدَّرْنَا بَيْنَكُمُ الْمَوْتَ﴾

"And We have decreed death to you all" [TMQ Wāqi'ah: 60]

That is, we have decreed death for you and divided the allocation of provision between you in different and disparate measures as dictated by our Will so your ages differ in being long, short or medium.

These and other verses which are of definite authenticity and meaning and indicate only one meaning, namely, that Allah ﷻ is the one who actually gives life and causes death, without the presence of any causes or effects, and that man does not die except by the termination of his *ajal*, and not due to the circumstances in which it occurred, which he thinks is the cause of the death. So the cause of death is the termination of the life-span only and not the circumstances in which the death occurred.

It should not be said that death is attributed to Allah ﷻ in terms of creation. As for its initiation, that is by human beings or the causes from which the death resulted, such as His ﷻ saying,

﴿وَمَا رَمَيْتَ إِذْ رَمَيْتَ وَلَكِنَّ اللّهَ رَمَى﴾

"And you (O Muhammad) threw not when you did throw but Allah threw"

[TMQ Anfāl: 17]

And,

﴿فَمَن يُرِدِ اللّهُ أَن يَهْدِيَهُ يَشْرَحْ صَدْرَهُ لِلإِسْلاَمِ وَمَن يُرِدْ أَن يُضِلَّهُ يَجْعَلْ صَدْرَهُ ضَيِّقاً حَرَجاً كَأَنَّمَا يَصَّعَّدُ فِي السَّمَاءِ﴾

"And whomsoever Allah wills to guide, He opens his breast to Islam, and whomsoever He wills to send astray, He makes his breast closed and constricted, as if he were ascending to the sky" [TMQ An'ām: 125]

And

﴿فَإِنَّ اللَّهَ يُضِلُّ مَن يَشَاءُ وَيَهْدِي مَن يَشَاءُ﴾

"Verily, Allah sends astray whom He wills, and guides who He wills"

[TMQ Fātir: 8]

This cannot be said because here there are indications [*qara'in*] which divert the initiation of action from Allah ﷻ to the human being, which makes the meaning to be that Allah ﷻ created the throwing, opening of the heart to Islam, the constriction of the heart, guidance and misguidance. But the one who actually initiates these is not Allah ﷻ but the human being. These indications are rational and *shar'i*. His saying *'you threw [ramayta]'* means that the throwing originated from the Messenger ﷺ , and because the punishment for going astray and reward for being guided by Islam indicates the presence of choice on the part of the human being, who can choose Islam or *kufr*. This indicates that the one who intiates action is the human being. If Allah ﷻ was the initiator then He ﷻ would not have rewarded or punished the human being. Also, it is sensorially perceivable and comprehendable that the Messenger ﷺ is the one who threw, and that it is the human being who finds guidance by using his mind in the correct manner and it is the human being who goes astray by not using his mind or using it in an incorrect manner. This is

contrary to death. There is no indication that the intiation of death comes from anyone other than Allah ﷻ and that it occurs without the termination of the *ajal*. It is established then that there is no sensed cause for death, nor is there a *shar'i* text which diverts the meanings of verses from their clear meaning, or an indication which shows that the initiator of death is other than Allah ﷻ. Thus the verses remain on the explicit meaning they came with according to the indication of the Arabic language and the *shar'*, namely, that the one who intiates death is Allah ﷻ.

From all of this it becomes clear that the rational evidence indicates that the things in which death usually occurs are circumstances and not causes. The true cause is something else and it cannot be sensed. It is established by *shar'i* evidence that these things from which death occurs are not what brings about death and nor are they causes of death. Defintive verses have shown that the cause of death is the termination of *ajāl* and the one who causes death is Allah ﷻ.

Provision [*Rizq*] is in the Hands of Allah ﷻ Alone

Rizq is different to ownership because *rizq* is a gift [‘*atā*’]; thus the verb ‘*razaqa*’ means ‘to give [*a’tā*]’. As for ownership it is to possess something through any of the mediums permitted by the *Shari’ah* whereby wealth can be possessed. *Rizq* can be lawful [*halāl*] or unlawful [*harām*]; all of it is termed *rizq*. So the money won by a gambler from another in a gambling match is *rizq*, because it is money that Allah ﷻ gives to each person when he pursues any of the situations in which money is obtained.

A view which prevails amongst people is that they are the ones who provide for themselves, and they consider the circumstances in which they earn wealth - that is, money or profit - as the cause of their provision [*rizq*] even if they say by their tongues that the *Razzāq* [the one who provides/sustains] is Allah ﷻ. They think that the employee, who takes home a set wage through his hard work and effort, is the one who provides for himself, and when he exerts every effort or tries through various means to supplement his wage, they see that he was the one who procured this increase. They think that the tradesman, who makes profit as a result of his trade endeavours, is the one who provided for his own sustenance, and the doctor, who treats the ill, is making his own living. In this manner, they see that each person pursues an occupation from which he earns money. He is the one who provides for himself. Thus the causes of provision, for these people, are perceptible and tangible, and they are the circumstances which lead to the procurement of wealth, and the person who commits himself to these circumstances, he is the one who will earn this wealth whether he himself or someone else is the receipient of the provision.

People have come to hold this view because they do not grasp the reality of the circumstances [*hālāt*] from which their provision come. They take them to be the cause because of their inability to differentiate between the cause and the circumstance. The fact is that these means from which the provision comes, are actually circumstances in which the *rizq* is obtained and not a cause of the *rizq*. If they were the true causes of *rizq* then they should not fail at all in producing that *rizq*, but it can clearly be seen that they do fail. These circumstances may well exist but no provision comes out of it, and *rizq* may be obtained without such circumstances existing at all. If these circumstances were the cause then the result, namely, *rizq*, would definitely occur. Since the *rizq* is not a definite result - it only comes when the circumstances exist or the *rizq* might fail to materialise despite their presence - this indicates that they are not the causes but only the circumstances under which the *rizq* is obtained.

An employee may work for a whole month but he is prevented from his (expected) income due to the settling of a previous debt, or spending money on those whose maintenance he is obliged to provide for, or by paying taxes. In this case, the circumstance which brings the provision, namely, the employee’s work, was present but the *rizq* was not obtained since he did not get his wages. There may be someone in his house in al-Quds, to whom the postman brings the news that so-and-so relative of his in America has died, leaving him as the sole inheritor, and that all of his wealth will pass into his hands so he should gain possession of it himself or through a recognised agent. This *rizq* came to him and he did not even know it was coming. Or a side of his house might collapse and he finds money hidden there, so he takes it. If the circumstances, which derive from human beings, are indeed the cause of *rizq* then they would not fail; and no *rizq* would be procured except when these circumstances are present. It is quite apparent that they do fail, which indicates that they are conditions and not causes. The incidents in which *rizq* has been obtained without any apparent cause are innumerable; incidents of food and travel, and leaving prepared food for another one; and other incidents which indicate that the circumstances in which *rizq* is usually obtained are, circumstances of (obtaining) *rizq* and not its causes.

Furthermore, it is not possible to consider the circumstances in which the rizq is procured, when they are present, as causes of *rizq*, nor to consider the person who engages in these circumstances as being the medium by which the *rizq* was brought because that contradicts the text of the Qur'ān which is definite in meaning and authenticity. When anything contradicts a text which is definite in meaning and authenticity, one is duty bound to adopt the definite text without any hesitation whatsoever, and all other opinions are rejected for the one (correct) opinion. Since anything that is proven from definitive evidence, it comes from Allah ﷻ and one is obliged to adopt it and reject the others. Therefore, the truth to which the Muslim should submit is that the *rizq* is from Allah ﷻ and not from human beings.

There are many *ayāt* which clearly show - and they are not open to interpretation - that *rizq* is from Allah ﷻ only and not from human beings. This is what makes us absolutely certain that what we see from the styles and means by which the *rizq* comes, that they are only circumstances which occur so that the *rizq* may come. Thus, Allah ﷻ says,

﴿وَكُلُواْ مِمَّا رَزَقَكُمُ اللّهُ﴾

"And eat of the things which Allah has provided for you" [TMQ Mā'idah: 88]

﴿الَّذِي خَلَقَكُمْ ثُمَّ رَزَقَكُمْ﴾

"Who created you, then provided food for you" [TMQ Rūm: 40]

﴿أَنفِقُوا مِمَّا رَزَقَكُمْ اللَّهُ﴾

"Spend of that which Allah has provided you" [TMQ Yā Sīn: 47]

﴿إِنَّ اللّهَ يَرْزُقُ مَن يَشَاءُ﴾

"Verily Allah provides sustenance to whom He wills" [TMQ Imrān: 37]

﴿اللَّهُ يَرْزُقُهَا وَإِيَّاكُمْ﴾

"Allah provides for them and for you" [TMQ Ankabūt: 60]

﴿لَيَرْزُقَنَّهُمُ اللَّهُ﴾

"Surely Allah will provide for them" [TMQ Hajj: 58]

﴿يَبْسُطُ الرِّزْقَ لِمَنْ يَشَاءُ﴾

"Allah increases the provision for whom He wills" [TMQ Ra'd: 26]

﴿فَابْتَغُوا عِنْدَ اللَّهِ الرِّزْقَ﴾

"So seek your provision from Allah (alone)" [TMQ Ankabūt: 17]

﴿وَمَا مِنْ دَابَّةٍ فِي الأَرْضِ إِلاَّ عَلَى اللَّهِ رِزْقُهَا﴾

"And no moving creature is there on earth but its provision is upon from Allah" [TMQ Hūd: 6]

﴿إِنَّ اللَّهَ هُوَ الرَّزَّاقُ﴾

"Allah is the Provider [al-Razzaq]' [TMQ Dhāriyāt: 58]

Apart from these there are many such *ayāt*. They are definite in meaning and authenticity and carry only one meaning which is not open to interpretation, namely, that *rizq* is from Allah ﷻ alone, and that Allah ﷻ alone is the one who provides sustenance [*al-Razzāq*]. Thus *rizq* is in the hands of Allah ﷻ alone.

However, Allah ﷻ has ordered His servants to undertake actions and they have been given the ability to choose to pursue the circumstances in which the *rizq* is procured. They are the ones who should pursue, in accordance with their choice, all of the circumstances in which the *rizq* comes. However, these circumstances are not the cause of *rizq* nor are the servants the ones who bring forth this *rizq*, as clearly stated in the text of the *ayāt*. Rather, Allah ﷻ is the one who gives them their provision in these circumstances irrespective of whether the *rizq* is *halāl* or *harām*, whether Allah ﷻ has obliged, forbade or permitted it, and irrespective of whether the *rizq* resulted or not. Nonetheless Islam has clarified the manner in which it is allowed or not allowed for the Muslim to pursue the circumstances in which *rizq* is obtained. Thus, it clarified the means of ownership and not the causes of rizq, and restricted ownership to these means. It is not permitted for any Muslim to possess any provisions except through a legal means because only this is the lawful *rizq* and anything which go against it is *harām*; even though the rizq - whether *halāl* or *harām* - is from Allah ﷻ.

One issue remains, namely, is the provision (*rizq*) of a person everything that he owns even if he has not benefited from it? Or is his provision only that which he has benefited from ? The answer is that the *ayāt* of the Qur'ān indicate that the provision of human beings consists of everything he owns whether he has derived benefit from them or not. Allah ﷻ says,

﴿لِيَذْكُرُوا اسْمَ اللَّهِ عَلَى مَا رَزَقَهُمْ مِنْ بَهِيمَةِ الأَنْعَام﴾

"That they may mention the name of Allah over the beast of cattle that He has given them for food" [TMQ Hajj: 34]

﴿اللَّهُ يَبْسُطُ الرِّزْقَ لِمَنْ يَشَاءُ﴾

"Allah increases the provision for whom He wills" [TMQ Ra'd: 26]

﴿كُلُواْ مِن طَيِّبَاتِ مَا رَزَقْنَاكُمْ﴾

"Eat of the lawful things that We have provided you" [TMQ Baqarah: 172]

﴿وَارْزُقُوهُمْ فِيهَا وَاكْسُوهُم﴾

And feed and clothe them therewith" [TMQ Nisā': 5]

﴿وَارْزُقْ أَهْلَهُ مِنَ الثَّمَرَاتِ﴾

"And provide its people with fruits" [TMQ Baqarah: 126]

﴿كُلُواْ وَاشْرَبُواْ مِن رِّزْقِ اللَّه﴾

"Eat and drink of that which Allah has provided" [TMQ Baqarah: 60]

These verses are clear in their use of the noun '*rizq*' for everything that a person owns, whether he derives benefit from it or not. *Rizq* has not been specified to only that from which benefit is derived exclusively, because the *ayāt* are general and their indications are general. It should not be said when someone takes your money from you, whether through stealing, forced appropriation or embezzlement, that he has taken your *rizq* from you. Rather it should be said that he took his *rizq* from you. So when a human being acquires wealth he has taken his *rizq*. When the wealth is

taken from him, it is not his that is taken; rather the one who acquires the wealth has taken his *rizq* from him. No one takes the *rizq* of someone else; rather the person takes his own *rizq* from someone else.

The Attributes [*Sifāt*] of Allah ﷻ

Before the emergence of the Scholastics [*Mutakallimūn*] the issue of Allah's attributes was not known; it did not have a part in any study from amongst the studies. The expression '*Sifāt Allah*' [attributes of Allah] has not come in the Noble Qur'ān or in the *ahādith*. It is not known that any of the *sahābah* mentioned or spoke about the phrase '*Sifāt Allah*'. Everything that has come in the Qur'ān which the Scholastics [*Mutakallimūn*] say is the 'attributes of Allah' must be understood in the light of His saying,

﴿سُبْحَانَ رَبِّكَ رَبِّ الْعِزَّةِ عَمَّا يَصِفُونَ﴾

"Glorified is your Lord, the Lord of Honour and Power, above what they attribute unto Him!" [TMQ Sāāfāt: 180]

And His ﷻ saying,

﴿لَيْسَ كَمِثْلِهِ شَيْءٌ﴾

"There is nothing like unto Him" [TMQ Shurā: 11]

And His ﷻ saying,

﴿لاَ تُدْرِكُهُ الأَبْصَارُ﴾

"No vision can grasp Him" [TMQ An'ām: 103]

Then the description of Allah ﷻ is taken only from the Qur'ān and as it is mentioned in the Qur'ān. Thus, (the description of His) knowledge is taken from the like of His ﷻ saying,

﴿وَعِنْدَهُ مَفَاتِحُ الْغَيْبِ لاَ يَعْلَمُهَا إِلاَّ هُوَ وَيَعْلَمُ مَا فِي الْبَرِّ وَالْبَحْرِ وَمَا تَسْقُطُ مِنْ وَرَقَةٍ إِلاَّ يَعْلَمُهَا وَلاَ حَبَّةٍ فِي ظُلُمَاتِ الأَرْضِ وَلاَ رَطْبٍ وَلاَ يَابِسٍ إِلاَّ فِي كِتَابٍ مُبِينٍ﴾

"And with Him are the keys of the unseen, none knows them but He; and He knows whatsoever is in the earth and in the sea. Not a leaf falls, but He knows it. There is not a grain in the darkness of the earth, nor anything fresh or dry, but is written in a Clear Record" [TMQ An'ām: 59]

And the (description of His) life is taken from the like of His ﷻ saying,

﴿اللّهُ لاَ إِلَهَ إِلاَّ هُوَ الْحَيُّ الْقَيُّومُ﴾

"Allah! None has the right to be worshipped except He, the Ever living, the One Who sustains and protects all that exists" [TMQ Baqarah: 255]

﴿هُوَ الْحَيُّ لاَ إِلَهَ إِلاَّ هُو﴾

"*He is the Ever Living, none has the right to be worshipped except He"*

[TMQ Fussilat: 65]

The (description of His) power/ability [*qudrah*] is taken from the like of His ﷻ saying,

﴿قُلْ هُوَ الْقَادِرُ عَلَى أَنْ يَبْعَثَ عَلَيْكُمْ عَذَاباً مِنْ فَوْقِكُمْ أَوْ مِنْ تَحْتِ أَرْجُلِكُمْ أَوْ يَلْبِسَكُمْ شِيَعا﴾

"*Say: 'He has power to send torment on you from above or from under your feet, or to bewilder you with dissension'"* [TMQ An'ām: 65]

﴿أَوَلَمْ يَرَوْا أَنَّ اللَّهَ الَّذِي خَلَقَ السَّمَاوَاتِ وَالأَرْضَ قَادِرٌ عَلَى أَنْ يَخْلُقَ مِثْلَهُم﴾

"See they not that Allah, Who created the heavens and the aerth, is able to create the like of them" [TMQ Isrā': 99]

And the (description of His) hearing is taken from the like of His saying,

﴿إِنَّ اللّهَ سَمِيعٌ عَلِيمٌ﴾

"Lo! Allah is all-Hearing, All-Knowing" [TMQ Baqarah: 181]

And the (description of His) seeing is taken from the like of His ﷻ saying,

﴿وَأَنَّ اللَّهَ سَمِيعٌ بَصِيرٌ﴾

"And verily! Allah is all-Hearer, all-Seer" [TMQ Hajj: 61]

﴿إِنَّ اللَّهَ هُوَ السَّمِيعُ الْبَصِير﴾

"He is the all-Hearer, the all-Seer" [TMQ Fussilat: 20]

And the (description of His) speech is taken from the like of His ﷻ saying,

﴿وَكَلَّمَ اللَّهُ مُوسَى تَكْلِيماً﴾

"And to Musa Allah spoke directly" [TMQ Nisā': 164]

﴿وَلَمَّا جَاءَ مُوسَى لِمِيقَاتِنَا وَكَلَّمَهُ رَبُّهُ﴾

"And when Musa came at the time and place appointed by Us, his Lord spoke to Him" [TMQ Arāf: 143]

And the (description of His) Will [*irādah*] is taken from the like of His ﷻ saying,

﴿فَعَّالٌ لِمَا يُرِيدُ﴾

"He does what He Wills" [TMQ Burūj: 16]

﴿إِنَّمَا أَمْرُهُ إِذَا أَرَادَ شَيْئاً أَنْ يَقُولَ لَهُ كُنْ فَيَكُونُ﴾

"Verily, His Command, when He intends a thing, is only that He says to it,'Be!' - and it is!" [TMQ Yā Sīn: 82]

﴿وَلَكِنَّ اللّهَ يَفْعَلُ مَا يُرِيدُ﴾

"But Allah does what He Wills" [TMQ Baqarah: 253]

And the (description of His) Creation is taken from the like of His ﷻ saying,

﴿اللَّهُ خَالِقُ كُلِّ شَيْءٍ﴾

"*Allah is the Creator of all things*" [TMQ Zumar: 62]

﴿وَخَلَقَ كُلَّ شَيْءٍ فَقَدَّرَه﴾

"He has created everything, and ordained for it a measure" [TMQ Furqān: 2]

These attributes have been mentioned in the Noble Qur'ān just as other attributes like divine Unity [*wahdaniyya*] and Eternal Pre-existence [*qidam*] have been mentioned. There was no difference between the Muslims that Allah ﷻ is One, Eternal, Living, Able and that He Hears, Sees, Speaks, Knowing and excersing Divine Will.

When the philosophers came and the thoughts of philosophy infiltrated the Muslims, The differences between the scholastics [*Mutakallimūn*] about the attributes of Allah ﷻ crept in. So, the *Mu'tazila* said: The Essence [*dhat*] of Allah ﷻ and His attributes are the same thing. Thus, Allah ﷻ is Living, Knowledgable and Able/Powerful in His Essence. He ﷻ does not have Knowledge, Power, Life external to His Essence. Because, if Allah ﷻ was Knowldgable due to a knowledge external to His Essence, and Living due to life that is external to His Essence as is the case with human beings. Then, this inevitably necessiates that there is a description [*sifa*] and one that is described [*mawsuf*], a carrier [*hamil*] and the carried [*mahmul*], and this is the state/condition of (corporeal) objects/bodies. And Allah ﷻ is free of all such corporealist anthroporphomism [*jasmiyya*]. If we say the attribute exists by itself then there will be more than one Eternal Pre-Existent Being, in other words there will be more than one god. The *Ahl al-Sunnah* said: 'Allah ﷻ has eternal attributes which exist in His Essence. They (the attributes) are: neither He but not other than He' (*la huwa wala ghairuhu*). As for Him ﷻ having attributes, this is due to the fact that it has been proven that He ﷻ is knowledgable, living, able etc. It is known that knowledge, life and power etc in their entriety, indicate an external meaning to the concept of Absolute Being [*Wajib al-wujud*]. Not all the words are synonymous in meaning. It cannot be as the *Mu'tazila* say that He ﷻ is knowledgable without knowledge and Able [*qadir*] without power etc. This is obviously impossible, and it is similar to us saying that a thing is black without any blackness.The texts have stated the evidence for His ﷻ Knowledge, Ability etc. The issuance of exact and precise actions indicate the presence of His ﷻ Knowledge and Power and not just a mere designation of knowledgable and powerful. As for His attribute being eternal, this is due to the impossibility of new entites existing in His ﷻ Essence. Since, it is inconceivable that a new entity would exist in the Pre-Existent and Eternal Being [*al-Qadim al-Azali*]. As for the attributes existing in His ﷻ Essence, that is because it is from the neccesary things required for existence. Because there is no meaning to describing the attribute of a thing except if it (the attribute) exists in the thing. As for the attributes being *'neither He or other than He'*. The attributes of Allah ﷻ are not the Essence itself. Because the mind dictates that the description/attribute is other than the thing described. It is a meaning external to the Essence. Because it is an attribute of Allah ﷻ and not other than Allah ﷻ. It is not a thing, essence or substance but only a description of the Essence. Though it is not the Essence of Allah ﷻ, it is not other than Allah ﷻ. Rather it is an attribute of Allah. As for the view of the *Mu'tazila*; if every attribute was made to exist by itself then there would be more than one Pre-existent Being. This would have been the case if the attribute was an Essence. As for when it is a description of the Essence, the description of the Essence by such an attribute does not necesitate that there is a plurality of essences. Rather it necesitates that there are more than one description of the One Essence. That does not negate Allah's Oneness [*wahdaniyyah*] or mean the plurality of gods. In this manner the *Ahl al-Sunnah* proved rationally that Allah ﷻ has attributes which are other than His Essence but not other than He ﷻ, because the description is other than the thing described but not detached from the thing described. Then they explained the meaning of each of these eternal attributes. Thus, they said the attribute of Knowledge is the eternal attribute which reveals the known things that relates to it and the attribute of Ability is an eternal attribute which effects the things decreed. And Life is an eternal attribute which necesitates the health [*sihhat*] of the living. And Ability is power. And *Sam'* (hearing) is an eternal attribute that relates to things that are heard. And seeing/sight is an eternal attribute relating to the seen things. Through them he has a complete understanding, not one that is by way of imagination or delusion or by way of being effected by sensation or arriving at a whim. The 'wish' (*iradah*) and 'will' (desire) are both expressions of the

attribute of life that requires one of the decreed (matters) specifically occurs at one moment, though the *qudrah* (power) over all of them (decreed matters) is the same. The attribute of speech (*kalam*) is an eternal attribute which is expressed by the composition called the Qur'ān. Allah ﷻ speaks with words; it is one of His eternal attributes and not of the category of letters and sounds. It is an attribute which is opposite to silence and *aafah* (deficiency). Allah ﷻ speaks with this attribute. With this attribute He ﷻ orders, forbids, informs; and anyone who orders, forbids and informs expresses a meaning in oneself.

In this manner the *Ahl al-Sunnah* explained what the attributes meant after proving that Allah ﷻ has eternal attributes. However, the *Mu'tazila* denied that these meanings are for the attributes of Allah ﷻ since they rejected that Allah ﷻ has attributes external to His Essence. They said; It is proven that Allah ﷻ is Able, Knowledgable and All-incompassing and that the Essence of Allah ﷻ and His attributes are not effected by change, because change is the attribute of created things and Allah ﷻ is free of that. If something is present at a specific point in time and did not exist before that point, then it will disappear after its existence, the Ability and Will of Allah ﷻ has affected that. He created something which had not previously existed and He made it non-existent after it had existed. We must ask how can Divine and Eternal Ability relate to a created thing, and thus create it, and why it created it at this moment, when no moment is preferable to another one to the Power of Allah ﷻ. So for the Power (*qudra*) to initiate a thing which previously had not been initiated constitutes change in the *Qudra*, though it has been proven that Allah ﷻ is not effected by change, for He is the Pre-Existent Being (*al-qadeem al-azali*). Similarly regarding the Will (*iradah*), the same can be said for the attribute of Knowledge (*'Ilm*). Knowledge is the revealing of the known matter (*ma'lum*) as it is. The known matter may change from one time to another, so the leaf of the tree falls after it was not falling (i.e It was fixed); the damp thing changes to dry, and the living becomes dead. The knowledge of Allah (*'ilmu Allah*) is that by which the thing is revealed as it is, so He ﷻ is knowedgable of the matter before it is as it would be. He ﷻ is also knowledgable of the matter if it was that it was. He ﷻ is also knowledgable of the matter if it became non-existent, that it became non-existent. So how can the Knowledge (*'ilm*) of Allah change with the change of the existent things (*al-mawjoodat*)? And the knowledge that changes with change in realities is a recent knowledge, and Allah's ﷻ knowledge is not recent because what is linked to the recent is itself is recent. The Ahl as-sunnah refuted them saying: "The *Qudra* has two links, one of them is eternal (*azali*), upon which the actual existence of the decreed thing –pre-determined (*magdoor*) - does not depend; and the recent link, upon which the actual existence of the decreed thing (*maqdoor*) depends. So when the *Qudra* is related to the thing it brought it into existence and it (the *Qudra*) existed before it was related to the thing. Its relationship (linkage) to the thing by bringing it into existence does not make it recent. The *Qudra's* exercise over the thing after it did not do such exercise is not considered a change in the *qudra,* so the qudrah is always the same, it only related to the thing, and thus brought it into existence. So the destined is what changes, as for the *Qudra* its does not change.

As for the knowledge (*'ilm*), anything with which the knowledge (*'ilm*) is related (linked) is actually known (*ma'loom*). For the one who is entitled to knowledge is the essence of Allah ﷻ, while the knowns are the things and the relation of the essence to all things is the same. Knowledge does not change in regard to the essence, while its relation (to the thing) is that which changes, a matter which is allowed/possible. What is impossible (on the side of Allah) is the change of the knowledge and the pre-establishment (*qadeem*) attributes themselves, such as the *qudra* and knowledge and the like thereof, and it is not necessary that it being *Qadeem* (Eternal) means its links are old. So they are pre-existent (*qadeem*) attributes, and are linked to the created things.

Thus, the polemics between the scholastic *Mu'tazila* on one side and the *Ahl al-Sunnah* on the other flared up regarding the attributes of Allah ﷻ, just as it flared up in other issues such as *qadā'* and *qadār*. What is strange is that the points of disagreement provoked by the *Mutakallimūn*, are the same points provoked by the Greek philosophers before. Thus, the Greek philosphers had instigated these points in relation to the attributes of the Creator. Then the *Mu'tazila* came and responded to them. But the response was within the limits of their belief in Allah ﷻ and within the limits of their views on *Tawheed* (Oneness of Allah ﷻ). The *Ahl al-Sunnah* opposed them to control their following of the Greek philosophers and the specultive asumptions and issues of logic understood by them. But they fell in the same trap the *Mu'tazila* had fallen in. So they responded on the same echelon, which is that the mind was made a basis for discussion and dialectics in matters comprehended or not comprehended by it, and in matters sensed or not sensed by human beings. They quoted verses of the Qur'ān and *ahadīth* to support their views. And they explained away verses and *hadīth* which contradicted their opinions. Thus, all the *Mutakallimūn* from the *Mu'tazila, Ahl al-Sunnah* and others came to be on the same level in making the mind the basis and making the *ayāt* of Allah ﷻ to support what their minds had lead to or interpret away so that they are understood according to what the mind of the one comprehending has lead to.

It appears that what led the *Mutakallimūn* to tread in this path in study are two factors; First, they did not know the definition of the mind. Second, they did not distuguish between the methodology of the Qur'ān in the comprehension of truths and the methodology of the philosophers in comprehending the truths. As for the issue of them not comprehending the definition of the mind, it is obvious from their own definition of ration. It has been reported about them that they used to say:

"إن العقل هو قوة للنفس والإدراكات"

'Ration is power for the soul and comprehension',

Which according to them means

"غريزة يتبعها العلم بالضروريات عند سلامة الآلات"

'An instinct which is followed by knowledge of *daruriyyat* (things known by necessity) when the senses are sound.'

Some of them say:

"إن العقل هو جوهر تدرك به الغائبات بالوسائط والمحسوسات بالمشاهدة"

The mind is the essence with which the unseen things are comprehended using intermediaries [*wasait*] and perceptible things by seeing'

They also say:

"إن العقل هو النفس بعينها"

'The mind is the soul itself.'

The one who carries such an understanding regarding the mind, it would not be strange for him to give himself a free reign in these matters. So they arranged, theoretically, various issues and came out with a result that did not exist. And they said regarding themselves that they came to comprehend this result with their mind. Consequently, the rational study for them did not have a limit at which it stopped. They could dive into any study and arrive at results which they called a rational study and rational results. Therefore, it is not strange that the *Mu'tazila* would say:

"إن تعلق قدرة الله الأزلية بالمقدور الحادث يجعل صفة القدرة حادثة"

"That connecting the eternal ability of Allah ﷻ with the decreed and a created incident makes the attribute of *qudra* (ability) created [*haaditha*]."

They considered that to be a rational investigation and a rational result....

And the *Ahl as-Sunnah* say at the same time that connecting the ability of Allah ﷻ with the decreed matter does not make the *qudra* (ability) change and nor does it make it a created thing. This is because what makes the *qudra* created is change in the *qudra* and not the change in the decreed matter. And they considered that to be a rational investigation and a rational result.....this is because the mind according to them, was the soul or an instinct followed by knowledge of things known by necessity. Therefore they allowed the mind to investigate everything. Had they truly understood the meaning of the mind they would not have involved in these suppositional investigations and results which are not known to exist. These were just things from other matters which followed and they called these rational truths.

The meaning of the mind is clear to us in this age. We realise that as long as the things which are necessary for the mind to conduct a study are not available then we cannot call it a rational discussion. And in such a case, it is not allowed to permit ourselves to study. We know that the mind is

"نقل الواقع بواسطة الحواس للدماغ ومعلومات سابقة تفسر هذا الواقع"

'The transmission of the reality via the senses to the brain with previous information which explains this reality.'

Every rational discussion must have four things first, a brain, second, the senses, third, the reality and fourth, the previous information relating to this reality. If one of these four things is missing, there can be no rational discussion at all. Even though it is possible to have a discussion based on logic and it is possible for there to be imagination and supposition. None of this has any value, because it does not come under the comprehension of the mind or the mind's comprehension of its source. So the scholastics [*Mutakallimūn*'s] lack of understanding of the meaning of the mind made them give themselves a free reign in many discussions which cannot be sensed, further they did not have any previous information reagarding them.

As for the scholastics [*Mutakallimūn*] not distuinguishing between the method of the Qur'ān from the method of the philosophers in the rational discussion, this is because the Qur'ān discussed theology and the philosophers discussed theology. As for the theological discussion of the philoshopers, it is that the philosphers looked into the Absolute Being and whatever was necessary for its Essence. They did not study the universe but what was beyond the universe. They began to arrange proofs with their logical premises and from these proofs they arrived at results. Then they derived other results from these results. They proceeded in this manner until they arrived at what they considered to be the truth of this Essence and the requirement of this Essence. All of them despite arriving at different results in their study, they followed one method which is the discussion of the supernatural, establishing proofs resulting in speculative assumptions or other proofs and arriving at results they considered definite and believed in.

This method of study contradicts the method of the Qur'ān because the Qur'ān discusses the universe itself, in respect to existents: the earth, sun, moon, stars, animals, human being, riding animals, camels, mountains and other such percieved things from which the listener arrives at understanding the creator of the universe, creator of the exixtents and the creator of the sun, camel, mountains, humankind etc through his comprehension of these existing things. When the Qur'ān discusses the supernatural which cannot be sensed and cannot be comprehended by comprehending the existent things it decribes a reality and determines a fact and orders that it be

believed as a definite matter without drawing the attention of human beings to understand it or drawing their attention to something from which they should comprehend it. And that is like the attributes of Allah ﷻ, the Paradise, Hellfire, *Jinns*, *shaytans* etc. And this is the method understood and followed by the *Sahabah* ﷺ who advanced into lands carrying the message of Islam to the people in order to bless them with it as they had been blessed by this message. The situation remained like this until the elapse of the first century. Then the philosophical thoughts from the Greek philosophy and other philosophies seeped in and the *Mutakallimūn* came to exist. And the method of rational study became altered and the polemics over the Essence of Allah ﷻ and the attributes of Allah ﷻ began. Far from being a deep discussion it cannot be considered a rational discussion at all because it is the study of a thing that cannot be sensed. And anything that cannot be sensed, it is outside the scope of the mind to study it in any way whatsoever. Since the discussion in the attributes of Allah ﷻ is whether it is the Essence itself or other than the Essence, it is a study of the Essence and the study of the Essence is prohibited in origin and impossible to do. That is why the study of all of the *Mutakallimūn* is misplaced and purely mistaken. The attributes of Allah ﷻ is *tawqeefiya* (fixed by the Lawgiver). Whatever has been mentioned in the definite texts we have mentioned it according to the extent mentioned in the definite texts and not in anything else. It is not allowed to add an attribute which has not been mentioned and we should not try to explain an attribute with anything other than what has been mentioned in the definite text.

The Muslim Philosophers

When philosophical issues relating to theology infiltrated the minds of the Muslims, during the end of the Ummayad reign and the beginning of Abbasid rule, certain scholars like al-Hasan al-Basri, Ghaylan al-Dimashqi and Jahm ibn Safwan began to address various scholastic issues. Then, after them came scholars who were acquainted with Aristotelian logic and they familiarised themselves with some of the books of Greek philosophy after they had been translated. The study of scholastic issues expanded and they began to study the science known as *Kalam*. They were scholars such as Wasil ibn 'Ata, 'Amr ibn 'Ubayd, Abu Hudhayl al-'Allaf and an-Nazzaam. However, their studies were not complete philosophical studies but the expanding study of philosophical thoughts until they became well-versed with different philosophical views, and that of the view of each group of philosophers in some issues by pursuing them and not all issues. In addition to confining themselves to some philosophical studies they restricted themselves to their belief in the Qur'ān. That is why they did not leave the fold of Islam, rather they expanded in reasoning, and they gave themselves free reign in the proofs, but only to establish that which will strengthen *imān* and a desire to eliminate anthropomorphic elements from the belief in Allah ﷻ. As a result, no deviation occurred in the beliefs despite their differing dogmas, so all of them remained Muslims who were defending Islam.

Then after the *Mutakallimūn* came the individuals who did not reach to the stage of becoming groups and *maẕhabs*, and even the Muslims did not follow them in mass although individuals preferred their studies. They are the ones who came after the *Mutakallimūn* from amongst the Muslims in the Muslims countries, they are the Muslim philosophers. It seems that what allowed them to exist amongst Muslims is that knowledge of philosophical thoughts and the books of philosophy which made these studies attractive to the people in that age. It seems what allowed these people to exist amongst the Muslims is that during that age the study of the philosophical thoughts and books of philosophy gained interest among the people. So some people took on the responsibility of widening the study of such thoughts. Thus, they studied these thoughts in a deep and extensive way, a study that was comprehensive and unrestricted. They followed every line (of thought) in its entirety. They studied an appropriate amount of philosophy to qualify themselves to think philosophically and produce philosophical output. It was due to these deep and extensive studies in philosophy, especially a specific type of Greek philosophy that led to the presence of philosophers amongst Muslim. The first known Muslim philosopher was Ya'qub al-Kindi (d.260 H). After him the Muslim philosophers emerged one after another. Thus, the philosophers did not emerge except after the presence of the *Mutakallimūn* and after the methodology of those philosophers had become prevalent and had become the subject of study, debate and polemics. In the eyes of many *Mutakallimūn* and *Ulama*, philosophy became intolerable. Before that, there were no philosophers amongst Muslims. Hence, there were *mutakallamin* and philosophers amongst the *Ulama* in the Muslim lands. However, there is a difference between *Mutakallimūn* and the philosophers. The *Mutakallimūn* were well versed with some philosophical thoughts. As for the philosophers, they were scholars of philosophy. That is why the philosophers used to look upon the *Mutakalimun* as ignorant. The philosophers thought the *Mutakallimūn* were people of sophistry and polemics. And they, that is, the philosophers were the one who rationally studied the sound philosophical issues.

All the *Mutakallimūn* and philosophers studied theology, although there is a difference between the method of the *Mutakallimūn* and that of the philosophers. The difference can be summarised as follows;

1. The *Mutakallimūn* had conviction in the principles of *imān* and they acknowledged them to be the truth and believed in them. Then they used their rational evidences to prove them. So they

proved them rationally with logical proofs. They used the rational study through the style of logic as a means to prove their beliefs, because they already believed in the basic principles of Islam and they came to form arguments and proofs to establish what they believed in.

2. The studies of the *Mutakallimūn* were restricted to issues relating to the defence of their creed and refutation of the arguments of their opponents whether they were Muslims - they disagreed with the understanding of the *Mu'tazila*, *murji'a*, *Shi'a*, *khawarij* and others - or whether they were non-muslims such as the Christians, Jews, Magians and others, although the most prominent aspect of their discussions was for the purpose of responding to the *Mutakallimūn* and philosophers amongst the Muslims.

3. The studies of the *Mutakallimūn* were Islamic and they, despite their differences and contradiction, are considered as Islamic opinions. Any Muslim who is convinced of one of their opinions is considered to have had conviction in an Islamic opinion. And whatever he was convinced of was considered as the Islamic creed.

This is the methodology of the *Mutakallimūn* and this is how it is considered. As for the methodology of the philosophers, it can be summarised as follows:

1. The philosophers studied the issues for the sake of research. Their method of study and its fundamentals are the study of issues as indicated by the demonstrable proof. And their view of theology was the view concerning the Absolute Being and whatever it's Essence necessitated. They begin their study by searching for what would lead to demonstratable proof; proceeding step by step until they arrive at the result whatever it may be and have conviction in it. This is the aim and the basis of philosophy. Their discussions are purely philosophical having no relationship to Islam in terms of the discussion even though one may witness that it has a connection to some subjects. They would frequently admit textual things in their discussions for which a rational proof cannot be established to prove it correctness or invalidity, subjects such as the Resurrection and the bodily Ressurection. And often they would take up certain ideas from the Greek philosophy issuing judgments on matters based on them albeit with the influence of their Islamic *'aqīdah* (creed) in them. And often they would attempt to reconcile certain issues of philosophy with Islamic issues; however this was an addition to, and a result of them being Muslims effected by Islam. But the effect was not an intellectual one where they made Islam as the basis as was the case with the *Mutakallimūn*. Rather, the effect is akin to a great extent to the effect of Christianity on the Christian philosophers, and the effect of Judaism on the Jewish philosophers, since the deep rooted concepts will greatly affect the study or have some effect on it. As for the basis on which they proceeded, it is around the Absolute Being (*al-wujud al-mutlaq*) and what it necessitated for its Essence. Their true influence was the Greek philosophy. Their mentality had been formulated according to Greek philosophy. So they wrote about the thoughts of philosopy after gaining maturity in the Greek philosophy. There was no relationship between Islam and their pholoshophy.

2. The Muslim philosophers did not stand in defence of Islam. They only stood to determine facts and furnish proofs for them. Nor did they enter into reporting opposing views and refuting them in Islam's defence even though they may have been influenced by Islam. Therefore, rational study was the basis and the subject matter and nothing apart from these was present in their study.

3. The studies of the Muslim philosophers are non-islamic studies. Rather they are purely philosophical discussions and have no relationship to Islam. It has no place for Islam in its discussion. They are not considered Islamic opinions and they are not part of the Islamic culture.

This is the difference betwen the methodology of the *mutakallimun* and the methodology of the Muslim philosophers. And this is the reality of the Muslim philosophers. It is injustice, contradiction of the reality and fabrication of Islam to call the philosophy which the likes of al-

Kindi, al-Farabi, Ibn Sina and others from the Muslim philosophers were preoccupied with, as Islamic philosophy. This is because it has no connection to Islam; rather it totally contradicts Islam whether in terms of the basis or in terms of many of its details. As for the contradiction it terms of the basis, this philosophy discusses that which is beyond the universe, that is, regarding the Absolute existence (*al-wujud al-mutlaq*) which is contrary to Islam which discusses what is in the universe and things that can be sensed only. It prohibits discussion about the essence of Allah ﷻ and that which is beyond the universe. It orders the Muslim to submit to it totally and stop at the limit of what *imān* enjoins without going further and without allowing the mind to attempt to discuss it. As for the details, there are many discussions in this philosophy which Islam considers as disbelief (*kufr*). Ther are discussions which hold the world to be eternally pre-existent (*qadm al-'alam*) and that it is eternal (*azali*). And there are discussions which assert that the pleasure of Paradise is spiritual and not corporeal. And discussions which mantain that Allah ﷻ is ignorant of detailed aspects and other such notions which definitely manifest *kufr* in the view of Islam.

How can it be claimed that this philosophy is Islamic given this clear contradiction? In adition to the fact that there is abolutely no philosophy in Islam because it restricts the rational discussion to the sensible objects and prohibits the mind from discussing that what is beyond the universe, which makes all its discussions remote from philosophy, following a method different to it. There is no possibility given in it that there should be any philosophical studies. That is why there is nothing called as Islamic philosophy. In Islam there is the study of the Qur'ān and the prophetic Sunnah. They are the only basis of Islam in terms of the *'aqīdah* (creed) and rules [*ahkam*], whether in terms of an order [*amr*], prohibition [*nahi*] or information [*ikhbar*].

The Prophets and Messengers

'Prophet' (*nabi*) and 'Messenger' (*rasul*) are two contrastive terms but they share in the respect that a *shari'a* is revelaed to both of them. The difference between the Messenger and the prophet is that the former is inspired with a *Sharī'ah* which he is commanded to propagate, whereas the latter, i.e. the prophet is also inspired, but commanded to propagate the *Sharī'ah* of the messengers. In other words, the messenger is commanded to propagate the *Sharī'ah* himself, whilst the prophet propagates the *Sharī'ah* of the messengers.

Qadi al-Baydawi in commentary of the saying of Allah ﷻ ,

﴿وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ مِنْ رَسُولٍ وَلاَ نَبِيٍّ إِلاَّ إِذَا تَمَنَّى﴾

"Never did we send an apostle or a prophet before thee, but, when he framed a desire"

[TMQ Hajj: 52];

Says, 'The messenger is sent by Allah ﷻ with a revived or new *Sharī'ah* which he calls people to, whereas the prophet is sent by Allah ﷻ to affirm the former *Sharī'ah*.'

Thus, Musa عليه السلام was a prophet because he was inspired with a *Sharī'ah* and a messenger because this *Shari'ah* was for his mission. On the other hand, although Aaron عليه السلام was also a prophet because he was inspired with a *Shari'ah*, he was not a messenger because the *Sharī'ah*, which was revealed to him was not for his mission, rather it was for the mission of Musa عليه السلام. By the same token, Muhammad ﷺ was a prophet and a messenger because he was inspired with a *Sharī'ah*, which was for his mission.

The message is the mediation between Allah ﷻ and the slaves in order to explain and clarify the method of satisfying the needs of this world and the hereafter. Wisdom necessitates the sending of messengers as they bring laws and benefits for people.

Thus, the sending of Messengers has actually occurred. Allah ﷻ appointed messengers from amongst mankind and sent them as bearers of glad tidings of paradise and reward to the people of belief and obedience. They were warners of the hell fire and punishment to people of disbelief and disobedience and they clarified the needs and requirements of this world and the hereafter for man. All because the mind is incapable of either deciding the good and bad or able to comprehend man himself and his affairs.

Allah ﷻ consolidates the prophets and messengers with miracles which oppose the norm. The miracle is a tool from Allah ﷻ that not only opposes the reality, but is rendered by the claimant of prophethood when he challenges the disbelivers who are incapable of achieving anything similar.

If the messenger was not supported by a miracle it would not be necessary to accept his claim, since no distinction could be made between an impostor claiming prophethood and a genuine prophet. Hence, the miracle substantiates the prophet's truthfulness and convinces the people since an ordinary man can not achieve such a feat.

The first prophet was Adam عليه السلام whilst the last prophet was Muhammad ﷺ . The prophethood of Adam عليه السلام can be proven through three different sources: Firstly through the Quran. Allah ﷻ says,

﴿وَعَصَى آدَمُ رَبَّهُ فَغَوَى، ثُمَّ اجْتَبَاهُ رَبُّهُ فَتَابَ عَلَيْهِ وَهَدَى﴾

"Adam slipped the commandment of his Lord then what he had desired, did not get the way to it. Thereafter his Lord chose him and turned to him with his mercy and showed him the way to his favoured nearness"

[TMQ Tā Hā: 121-2]

The meaning of *Ijtaba* in this context means selecting him. The Quran also proves that Allah ﷻ both commanded and prohibited Adam certain things. Hence Allah ﷻ says,

﴿وَقُلْنَا يَا آدَمُ اسْكُنْ أَنتَ وَزَوْجُكَ الْجَنَّةَ وَكُلاَ مِنْهَا رَغَداً حَيْثُ شِئْتُمَا وَلاَ تَقْرَبَا هَذِهِ الشَّجَرَةَ فَتَكُونَا مِنَ الْظَّالِمِينَ﴾

"And we said, O Adam, dwell you and your wife in paradise and eat freely thereof where you will, but do not approach this tree lest you become of the transgressors"

[TMQ Baqarah: 35]

This categorically proves that there was no other prophet during his time.

Therefore, Adam عليه السلام was a prophet by revelation and nothing else. A prophet who was inspired with a *Shari'ah*, as every commandment [*amr*] or prohibition [*nahi*] is *Shari'ah*. Thus since he received inspiration he is a prophet.

The Second source is the Sunnah. Tirmidhi reported from Abu Said al-Khudri رضي الله عنه that the prophet ﷺ said,

﴿أَنَا سَيِّدُ وَلَدِ آدَمَ يَوْمَ الْقِيَامَةِ وَلاَ فَخْرَ وَبِيَدِي لِوَاءُ الْحَمْدِ وَلاَ فَخْرَ وَمَا مِنْ نَبِيٍّ يَوْمَئِذٍ آدَمُ فَمَنْ سِوَاهُ إِلاَّ تَحْتَ لِوَائِي﴾

"I will be the leader of the sons of Adam on the day of resurrection but I do not boast. I will have the banner of al-Hamd in my hand but I do not boast and on that day, all the prophets from Adam will be under my banner."

Lastly, the consensus of the Sahaba رضي الله عنهم also proves that Adam عليه السلام was a prophet.

As for the prophethood of Muhammad ﷺ, as he also claimed prophethood and brought forth miracles, the prophethood is known by *Mutawatir* narrations, which substantiates it beyond any doubt. As for the miracle (i.e. the Qur'ān) it is the speech of Allah ﷻ, which challenged and defied the eloquent and great speakers of Mecca. They were unable to oppose the shortest Sura of the Qur'ān, although they strived to do so. They then abandoned their styles of opposition from talk and rhetoric, even though they were the best and most revered linguists of their time, to force and the sword. Not even one of the disbelieving *Kuffars* ever related that someone was ever able to produce anything similar to the Qur'ān, despite the fact that they had the means to relate this information if required. All this categorically proves that the Qur'ān, i.e. the miracle given to Muhammad ﷺ is from Allah ﷻ and without any doubt verifies the true claim of the prophet ﷺ.

The number of prophets and messengers are unknown because Allah ﷻ informs his messenger,

﴿وَلَقَدْ أَرْسَلْنَا رُسُلاً مِنْ قَبْلِكَ مِنْهُمْ مَنْ قَصَصْنَا عَلَيْكَ وَمِنْهُمْ مَنْ لَمْ نَقْصُصْ عَلَيْكَ﴾

"We have sent messengers before you, we have mentioned some of their stories to you, whilst we have not mentioned others." [TMQ Ghafir:78]

Although the number has been mentioned in some *Ahadith*, the *Ahadith* in question are of the *Ahad* category. Thus they do not have any value in *'aqīdah* (creed); i.e. they do not form part of the *'aqīdah* (creed). Assuming that the *Ahad Hadith* met all the pre-requisites of *Usul-al-fiqh*, it would only lead to conjecture, and conjecture can not be accepted as part of belief. Therefore

the number is limited to the prophets and messengers mentioned in the Qur'ān because that is definite. Moreover, the number of prophets is neither mentioned in the *Mutawatir Hadith*. In respect to the prophets mentioned in the Qur'ān, Allah ﷻ says,

﴿وَتِلْكَ حُجَّتُنَا آتَيْنَاهَا إِبْرَاهِيمَ عَلَى قَوْمِهِ نَرْفَعُ دَرَجَاتٍ مَنْ نَشَاءُ إِنَّ رَبَّكَ حَكِيمٌ عَلِيمٌ، وَوَهَبْنَا لَهُ إِسْحَاقَ وَيَعْقُوبَ كُلاًّ هَدَيْنَا وَنُوحاً هَدَيْنَا مِنْ قَبْلُ وَمِنْ ذُرِّيَّتِهِ دَاوُودَ وَسُلَيْمَانَ وَأَيُّوبَ وَيُوسُفَ وَمُوسَى وَهَارُونَ وَكَذَلِكَ نَجْزِي الْمُحْسِنِينَ، وَزَكَرِيَّا وَيَحْيَى وَعِيسَى وَإِلْيَاسَ كُلٌّ مِنَ الصَّالِحِينَ، وَإِسْمَاعِيلَ وَالْيَسَعَ وَيُونُسَ وَلُوطاً وَكُلاًّ فَضَّلْنَا عَلَى الْعَالَمِينَ وَمِنْ آبَائِهِمْ وَذُرِّيَّاتِهِمْ وَإِخْوَانِهِمْ وَاجْتَبَيْنَاهُمْ وَهَدَيْنَاهُمْ إِلَى صِرَاطٍ مُسْتَقِيمٍ، ذَلِكَ هُدَى اللَّهِ يَهْدِي بِهِ مَنْ يَشَاءُ مِنْ عِبَادِهِ وَلَوْ أَشْرَكُوا لَحَبِطَ عَنْهُمْ مَا كَانُوا يَعْمَلُونَ، أُوْلَئِكَ الَّذِينَ آتَيْنَاهُمُ الْكِتَابَ وَالْحُكْمَ وَالنُّبُوَّةَ﴾

"And this is our argument that we gave to Abraham against his people, we raise in degrees whom we please, undoubtedly, your lord is wise, knowing. And we gave him Ishaq and Yaqub, we showed the path to all of them and showed the path to Nuh before them, and of his progeny, to Daud and Sulaiman and Ayub and Yusuf and musa and Haroon, and thus we recompense the righteous. And to Zakaria, Yahya, Isa and Ilyas. These are all entitled to be our near ones. And to Ismail and Yasa and Yunus and lot, and to each one we preferred above all in his time. And also to some of their fathers and their progeny and some of their brothers, and we chose them and showed them the straight path. This is the guidance of Allah. He gives whom he will of his bondmen, and if they would have committed polytheism, then surely all that they had already done would have been destroyed. These are they to whom we gave the book and order and prophet hood" [TMQ An'ām: 83-89]

﴿وَإِسْمَاعِيلَ وَإِدْرِيسَ وَذَا الْكِفْلِ كُلٌّ مِنَ الصَّابِرِينَ، وَأَدْخَلْنَاهُمْ فِي رَحْمَتِنَا إِنَّهُمْ مِنَ الصَّالِحِينَ﴾

"And Ismail and Idrees and Dhul-Kifl all were from the patient ones who we took into our mercy. Indeed they are from the righteous." [TMQ Anbiya: 85-86]

﴿وَإِلَى مَدْيَنَ أَخَاهُمْ شُعَيْباً﴾

"And to Madyan, we sent their brother Shu'aib." [TMQ Araf: 85]

﴿وَإِلَى ثَمُودَ أَخَاهُمْ صَالِحاً﴾

"And to Thamud, we sent their brother Salih." [TMQ Araf: 73]

﴿وَإِلَى عَادٍ أَخَاهُمْ هُوداً﴾

"And to A'ad, we sent their brother Hud." [TMQ Araf:65]

﴿وَقُلْنَا يَا آدَمُ اسْكُنْ أَنْتَ وَزَوْجُكَ الْجَنَّةَ﴾

"And we said, o Adam dwell you and your wife in paradise."

[TMQ Baqarah: 35]

﴿مُحَمَّدٌ رَسُولُ اللَّهِ وَالَّذِينَ مَعَهُ أَشِدَّاءُ عَلَى الْكُفَّارِ رُحَمَاءُ بَيْنَهُمْ﴾

"Muhammad is the messenger of Allah. Those with him are severe on the Kuffar and merciful between themselves." [TMQ Fath: 29]

All the prophets and messengers were informers from Allah ﷻ because this is the meaning of prophethood and messengerhood. They are truthful, admonishers to creation lest the mission and message become futile and they are infallible from lying and error in their propagation, just as they are infallible from committing any sin.

Further there is no definite [*Qati*] textual evidence in the Qur'ān or the Sunnah of the prophet ﷺ informing about the erring of the prophets after their Prophethood of Messengership. Whatever has been reported is either in the *ahadith* that are indefinite in their transmission [*dhanni athuboot*] or in the ayat that are indefinite in their evidence [*dhanni ad-dalala*] and the Indefinite [*dhanni*] cannot over ride the definite rational evidence on infallibility.

As for what was revealed regarding Adam عليه السلام in the Qur'ān about him eating from the tree which Allah ﷻ had prohibited him to eat from, this does not contradict the requirement of infallibility in the propogation of the message to the people on the earth because what happened from Adam عليه السلام was in the Paradise, the wisdom of which is only known to Allah ﷻ. Therefore this is separate matter (i.e Adam's عليه السلام eating of the fruit of the tree) because infallibility is related to the propogation of the message to the people on the earth.

The Infallibility of the Prophets

Although the Islamic belief consists of belief in Allah ﷻ, His Angels, His Books, His Messengers, the Day of Judgement and *al-Qada wal-Qadar*, both good and bad from Allah ﷻ, it does not mean to exclude anything else from the belief. Rather, it means that this forms the basis of belief and there are other thoughts which relate to the *'aqidah* (creed), such as the infallibility of the Prophets which also come under the belief in the prophets. The evidence of the infallibility of the Prophets is a rational evidence and not a textual evidence because the proof of the prophethood of a Prophet and the message of the messenger to whom he has been sent is rational, established by a perceptible miracle.

Although the Islamic belief is said to consist of belief in Allah ﷻ, his angels, his books, his messengers, the day of judgement and *al-Qada wal-Qadar* both good and bad are from Allah ﷻ, it does not mean that nothing else must be believed in. Rather these concepts only form the basis of belief, as there are other thoughts that are linked to the *'aqīdah*, like the infallibility of the prophets, which fall within the category of belief in the prophets.

Evidence for the infallibility of the prophets is rational and not based upon aural reports. This is because the validity of the prophethood of the prophet and the message of the messenger to whom they are sent is rational and is proven by the tangible miracle. The prophet's infallible nature necessitates it to be rational because it is one of the requirements to verify the prophethood of the prophets and messengers. The mind necessitates that the prophets and messengers are infallible, as it is a pre-requisite for the role of the prophet and messenger in propagating from Allah ﷻ.

If it were possible to raise doubts about the infallible nature of the prophets even in one issue of law, consequently this would give rise to the emergence of skepticism and vacuums in every other issue. Hence, at that point both the case for prophethood and messengerhood would be meaningless. The evidence that a person is a prophet or a messenger from Allah ﷻ means that he is infallible in everything he propagates.

Thus, by necessity he is infallible in his propagation, and the disbelief in this is disbelief in the message that he brought and the prophethood which he was sent with. Therefore, it is necessary that each and every prophet and messenger is infallible from error in the propagation as this is one of the attributes of the prophets. The mind necessitates that these characteristics are present in each and every prophet and messenger.

As for the infallibility of the prophets and messengers from carrying out actions contrary to the prohibitions and commands of Allah ﷻ, rational evidence requires that they be categorically infallible from doing *al-Kabair*. Hence, they can not undertake any *al-Kabair* because this would mean committing sins. Both obedience and sinning are indivisible. Thus, if it were possible for the prophets to sin in their actions, this would also be true in their propagation. However, this contradicts both the prophethood and messengerhood. Therefore the prophets and messengers are infallible from the *al-Kabair*, just as they are infallible in propagating the message from Allah ﷻ.

As for infallibility from the minor sins *(al-Saghair)*, there is a difference of opinion between the *Ulama*. Some say that they are not infallible from them because they do not constitute sinning and others say they are infallible from the minor sins *(al-Saghair*) because they constitute sinning.

However, the reality is that the prophets are infallible from everything definite that has been both commanded and prohibited for them. In other words, all the *Faraids* [pl: *Fard*] (compulsory obligations) and *Muharramat* [pl: *Haram*] (prohibitions). They are also infallible from leaving the

Wajibaats (compulsory obligations) and from carrying out *Haram* (prohibited) actions, whether it is a major or a minor sin. In other words, they are infallible from everything and anything called, or confirmed to be a sin.

This is with the exception of the *Makruhat, Mandubat* which are different, as they are not infallible from these and neither would this constitute a contradiction with the role of prophethood or messengerhood. Thus it is permissible for them to carry out a *Makruh* action and to leave a *Mandoob* action, because neither action constitutes a sin. Likewise it also permissible for them to carry out some *Mubah* actions and abstain from others, as neither categories in all their aspects fall within the concept of sin. These are the pre-requisites and attributes of the prophets and messengers that the mind necessitates.

However, infallibility only becomes an integral part of the characteristics of the prophets and messengers after they receive revelation and become prophets and messengers. Prior to this they are bound by the same laws as the rest of mankind, because as previously mentioned, infallibility is for the prophethood and messagehood only.

The Revelation

Each and every Muslim must believe in revelation, as it is a fundamental aspect of belief. However, the evidence for revelation is not rational, rather it is accepted on the basis of authentic texts. Since revelation does not have a tangible sensation or reality, the mind cannot verify its validity. Therefore every attempt to prove revelation by means of the intellect will be incorrect, as it is not possible to use the mind to prove something without a tangible reality.

Hence, as mentioned earlier, the evidence for revelation is not intellectual; rather it is established on the basis of authentic narrations. The Definite text of the Qur'ān verifies that the messenger Muhammad ﷺ recieved revelation. Allah ﷻ says,

﴿كَذَلِكَ يُوحِي إِلَيْكَ وَإِلَى الَّذِينَ مِنْ قَبْلِكَ اللَّهُ الْعَزِيزُ الْحَكِيمُ﴾

"Likewise Allah, the Honourable, the all-wise, reveals to you and to those before you." [TMQ Shura: 3]

﴿وَكَذَلِكَ أَوْحَيْنَا إِلَيْكَ رُوحاً مِنْ أَمْرِنَا﴾

"And likewise we have revealed to you an invigorate thing by our command."

[TMQ Shura:52]

﴿وَمَا يَنْطِقُ عَنِ الْهَوَى، إِنْ هُوَ إِلاَّ وَحْيٌ يُوحَى﴾

"And he doesn't utter from his own desire. Indeed it is an inspired inspiration"

[TMQ Najm: 3]

﴿إِنَّا أَوْحَيْنَا إِلَيْكَ كَمَا أَوْحَيْنَا إِلَى نُوحٍ وَالنَّبِيِّينَ مِنْ بَعْدِهِ﴾

"Undoubtedly, O prophet! We have sent revelation to you as we sent it to Noah and the prophets after him." [TMQ Nisa: 163]

﴿وَاتَّبِعْ مَا يُوحَى إِلَيْكَ وَاصْبِرْ حَتَّى يَحْكُمَ اللَّهُ وَهُوَ خَيْرُ الْحَاكِمِينَ﴾

"And follow that which is revealed to you and have patience until Allah decrees and He is the best of judges."

[TMQ 10:109]

The revelation that descended on the messenger ﷺ had three states, all prophets before him recieved the revelation through these only and not another. These states are all categorised under the revelation which Allah ﷻ explains in the Qur'ān. He ﷻ says,

﴿وَمَا كَانَ لِبَشَرٍ أَنْ يُكَلِّمَهُ اللَّهُ إِلاَّ وَحْياً أَوْ مِنْ وَرَاءِ حِجَابٍ أَوْ يُرْسِلَ رَسُولاً فَيُوحِيَ بِإِذْنِهِ مَا يَشَاءُ﴾

"And it is not fit for any man that Allah should speak to him but through revelation, or that the man may be at the other side of the veil of grandeur, or by sending messengers and inspiring whom he wills." [TMQ Shura: 51]

That is, Allah ﷻ only communicates with man through inspiration, through verbal contact via a veil or by sending messengers. The revelation that descended upon the messenger ﷺ had two states. He ﷺ informed about them when he was once asked, "How does the revelation come to you?" He ﷺ replied,

﴿أَحْيَاناً يَأْتِينِي مِثْلَ صَلْصَلَةِ الْجَرَسِ وَهُوَ أَشَدُّهُ عَلَيَّ فَيُفْصَمُ عَنِّي وَقَدْ وَعَيْتُ عَنْهُ مَا قَالَ وَأَحْيَاناً يَتَمَثَّلُ لِيَ الْمَلَكُ رَجُلاً فَيُكَلِّمُنِي فَأَعِي مَا يَقُول﴾

"Sometimes it comes like the clattering or the jingling of a bell which is severest on me and when it leaves me, I have absorbed everything. And sometimes the angel comes to me in a form of a man and speaks to me and I am aware of what is being said." [Bukhari]

These two states are as follows:

Firstly- the angel inspires the prophet ﷺ by indication and without using words or language. The revelation is inspired into the mind of the prophet ﷺ, just as he ﷺ said,

﴿إن روح القدس نفث في روعي أنه لن تموت نفس حتى تستكمل رزقها وأجلها فاتقوا الله أيها الناس وأجملوا في الطلب﴾

"*Ruh Al-Quds* (Jibril) inspired in to me that no soul shall die until it has completed its *Rizq* and its *Ajal*. Therefore fear Allah ﷻ O people and acquire the means to do good" [Extraced by AlHakim]

Also the messenger ﷺ whilst dreaming had visions that he received from Allah ﷻ both in the states of consciousness and sleep. Some of it was inspired to him whilst he was awake and he would have certain visions in his dreams all of which were revelation. As the mother of the believers, Aisha ﷺ said,

﴿ أول ما بُدئ رسول الله – صلى الله عليه وسلم – الرؤيا الصادقة في النوم فكان لا يرى رؤيا إلا جاءت مثل فلق الصبح﴾

"Firstly, the messenger ﷺ began seeing true visions in his sleep. Every vision he had was true as clear as the morning."

The messenger ﷺ would also feel that some form of revelation was about to come, but it didn't come. Aisha ﷺ narrated that Harith ibn Hashim ﷺ asked the messenger ﷺ, "O messenger, how does the revelation come to you?" The messenger ﷺ said,

﴿أَحْيَاناً يَأْتِينِي مِثْلَ صَلْصَلَةِ الْجَرَسِ وَهُوَ أَشَدُّهُ عَلَيَّ فَيُفْصَمُ عَنِّي وَقَدْ وَعَيْتُ عَنْهُ مَا قَال﴾

"Sometimes it comes like the clattering /jingling of a bell which is severest on me and when it leaves me, I have absorbed everything."

[Bukhari]

All these variations i.e. inspiration, dream, revelation without talk and everything similar constitute one state and fall within the saying of Allah ﷻ,

﴿إِلاَّ وَحْياً﴾

"Nothing but revelation" [TMQ Shura: 51]

Because linguistically when the verb "to reveal to someone" is used it means to indicate or shake ones head. Thus Allah ﷻ reveals to him and inspires him. Allah ﷻ says,

﴿وَأَوْحَى رَبُّكَ إِلَى النَّحْلِ﴾

"And your lord inspired the bee", [TMQ Nahl: 68]

Thus the inspiration to the bee is: the inspiration and the innate knowledge within the bee's heart.

The second state is the revelation inspired by means of oral communication from the angel. It is transmitted orally to the prophet ﷺ after he learns through decisive evidence that this is revelation and the message bearer is the angel, i.e. *Jibril*. Allah ﷻ says,

﴿نَزَلَ بِهِ الرُّوحُ الأَمِينُ، عَلَى قَلْبِكَ لِتَكُونَ مِنَ الْمُنذِرِينَ﴾

"The trusted spirit has descended with it. On your heart that you may warn."

[TMQ Shuara: 193]

In other words, Allah ﷻ sends *Jibril* who speaks with the messenger who simultaneously both hears and preserves his words. Aisha ؓ narrated that the prophet ﷺ said,

﴿وأحياناً يتمثل لي الملك فيكلمني فأعي ما يقول﴾

"And sometimes the angel comes to me as a man and he talks to me and I am conscious of what he is saying." [Bukhari]

﴿كان النبي ﷺ بارزاً يوماً للناس فأتاه رجل فقال له: ما الإيمان؟ قال: أن تؤمن بالله وملائكته وبلقائه ورسله وتؤمن بالبعث.قال: ما الإسلام؟ قال: الإسلام أن تعبد الله ولا تشرك به وتقيم الصلاة وتؤدي الزكاة المفروضة وتصوم رمضان. قال: ما الإحسان؟ قال: أن تعبد الله كأنك تراه فإن لم تكن تراه فإنه يراك. قال: متى الساعة؟ قال: ما المسؤول عنها بأعلم من السائل، وسأخبرك عن أشراطها: إذا ولدت الأَمَةُ ربتها، وإذا تطاول رعاة الإبل ألبهم في البنيان في خمس لا يعلمهن إلا الله، ثم تلا النبي ﷺ: ﴿إِنَّ اللَّهَ عِنْدَهُ عِلْمُ السَّاعَةِ﴾ الآية، ثم أدبر، فقال: ردوه. فلم يروا شيئاً. فقال: هذا جبريل جاء يعلم الناس دينهم﴾

Abu Hurairah ؓ narrated that the prophet ﷺ was with the people one day when a person came and asked him ﷺ, "What is Emaan?" He ﷺ said, "It is the belief in Allah ﷻ, his angels, in the meeting with him ﷻ, his messengers and the resurrection." He asked, "What is Islam?" He ﷺ said, "Islam is that you worship Allah ﷻ and do not commit Shirk, establish the prayer, pay the enjoined Zakat and you fast in Ramadan." He said, "What is Ihsaan?" He ﷺ said, "That you worship Allah ﷻ as if you see him, and if you can not see him, surely he sees you." He said, "When is the hour?" He ﷺ said, "The one questioned about it knows no better then the questioner. I will tell you of its signs. When the mother will give birth to her Master and when the shepherd will build tall buildings. It is one of the five things that no one will know them except Allah ﷻ." Then the prophet ﷺ recited the Ayat, "*Indeed Allah has the knowledge of the hour.*" Then the man turned and left. The prophet ﷺ said to the Sahaba ؓ call him but they didn't see anything. He ﷺ said, "This was *Jibril*, he came to teach people their Deen." [Bukhari]

There are a number of incidents mentioned in *Ahadith* in which Jibril ؑ descended and talked to the prophet ﷺ and he would listen. This was a form of revelation for the messenger, as the angel would tell the messenger the meanings in the form of a conversation. The revelation by words and meaning is restricted to the Noble Qur'ān. As for revelation by meaning, the messenger ﷺ would express this by using his own words, through application i.e. his actions, or by silence and this is the Sunnah.

The *Hadith* Qudsi is regarded as Sunnah because although its meaning is revealed from Allah ﷻ its words are from the prophet ﷺ. The words of the *Hadith* Qudsi are not from Allah ﷻ because

the words that are from Allah ﷻ are specifically for the Qur'ān and this is proven by its inimitability. Although the Sunnah comes in the forms of inspiration, dream and is cast directly in the heart, it also comes both in wakefulness and as a dialogue between *Jibril* and the messenger ﷺ.

The Qur'ān is only revealed through the messenger ﷺ because its words are from Allah ﷻ. There are numerous *ayats* detailing the revelation of the Qur'ān. Allah ﷻ says,

﴿وَكَذَلِكَ أَوْحَيْنَا إِلَيْكَ قُرْآنًا عَرَبِيًّا﴾

"And we have revealed the Quran to you in Arabic" [TMQ Shura:7]

﴿وَالَّذِي أَوْحَيْنَا إِلَيْكَ مِنَ الْكِتَابِ هُوَ الْحَقُّ﴾

" And what We have revealed to you (O Muhammad [saw]) of the Book, it is the (very) truth " [TMQ Fatir: 31]

The book referred to is the Qur'ān and "*min*" here is to indicate representation.

﴿وَأُوحِيَ إِلَيَّ هَذَا الْقُرْآنُ لِأُنْذِرَكُمْ بِهِ وَمَنْ بَلَغَ﴾

"This Qur'ân has been revealed to me that I may therewith warn you and whomsoever it may reach "
[TMQ An'aam: 6]

﴿نَحْنُ نَقُصُّ عَلَيْكَ أَحْسَنَ الْقَصَصِ بِمَا أَوْحَيْنَا إِلَيْكَ هَذَا الْقُرْآنَ﴾

" We relate to you (Muhammad [sal-Allâhu 'alayhi wa sallam]) the best of stories through Our Revelations to you, of this Qur'ân" [TMQ Yoosuf: 3]

﴿وَاتْلُ مَا أُوحِيَ إِلَيْكَ مِنْ كِتَابِ رَبِّكَ لَا مُبَدِّلَ لِكَلِمَاتِهِ﴾

" And recite what has been revealed to you (O Muhammad ﷺ) of the Book (the Qur'ân) of your Lord. None can change His Words, " [TMQ alKahf: 27]

It is the Qur'ān. There are other *ayats* as well, which mention the revelation in general including the Sunnah. For example, Allah ﷻ says,

﴿وَإِنِ اهْتَدَيْتُ فَبِمَا يُوحِي إِلَيَّ رَبِّي﴾

" If I remain guided, it is because of the Revelation of my Lord to me"

[TMQ As-saba: 50]

And He ﷻ says,

﴿إِنَّا أَوْحَيْنَا إِلَيْكَ كَمَا أَوْحَيْنَا إِلَى نُوحٍ وَالنَّبِيِّينَ﴾

" Verily, We have sent the Revelation to you (O Muhammad [saw]) as We sent the Revelation to Nûh (Noah) and the Prophets after him"

[TMQ Nisa: 163]

And He ﷻ says,

﴿وَاتَّبِعْ مَا يُوحَى إِلَيْكَ مِنْ رَبِّكَ﴾

"And follow that which is revealed to you from your Lord. Verily, Allâh is Well-Acquainted with what you do"
[TMQ Ahzaab: 2]

These two mentioned states have been discussed in the texts, The third state is mentioned in His ﷻ saying,

﴿اوْ مِنْ وَرَاءِ حِجَابٍ﴾

"*Or from behind a veil*" [TMQ Shura: 51]

This is what happened with Musa ﷺ. This Ayat is indicating to the incident in which Allah ﷻ spoke to Musa ﷺ from behind a veil. That is, just as the veiled person speaks with some dignitaries and with people of distinction. He speaks from behind a veil and although one hears the other person's voice, he does not see him. This is the manner in which Allah ﷻ spoke with Musa ﷺ.

Such an incident only occurred once with the prophet ﷺ during the *al-Isra wal-Miraj*, which has not only been mentioned in an authentic *Hadith*, but has also been indicated by Sura al-Najm. Allah ﷻ says,

﴿إِنْ هُوَ إِلَّا وَحْيٌ يُوحَى۞ عَلَّمَهُ شَدِيدُ الْقُوَى۞ ذُو مِرَّةٍ فَاسْتَوَى۞ وَهُوَ بِالْأُفُقِ الْأَعْلَى۞ ثُمَّ دَنَا فَتَدَلَّى۞ فَكَانَ قَابَ قَوْسَيْنِ أَوْ أَدْنَى۞ فَأَوْحَى إِلَى عَبْدِهِ مَا أَوْحَى﴾

"It is only a Revelation revealed.He has been taught (this Qur'ân) by one mighty in power [Jibril].One free from any defect in body and mind then he (Jibrîl) rose and became stable.While he [Jibrîl)] was in the highest part of the horizon, Then he [Jibrîl] approached and came closer, And was at a distance of two bows' length or (even) nearer. So (Allâh) revealed to His slave [Muhammad [saw] through Jibrîl [as]] whatever He revealed."

[TMQ Najm: 4-10]

With the exception of this event i.e. *al-Isra wal-Miraj*, the revelation descended upon the prophet ﷺ in the form of an inspiration and through a messenger.

All the types of revelation are forms of evidence. The communication between the angel and the messenger by talk or indication or conversation is a clear revelation. The inspiration and visions are clear revelations and Allah ﷻ speaking to the prophets is also a form of revelation.

This revelation is a categorical proof as it has been reported in the most authentic and definite texts of definite meaning.

It is not allowed on the part of the Messenger ﷺ that he be a *Mujtahid*

The opinion that our master Muhammad ﷺ performed *Ijtihād* in certain rules and he made an error in his *Ijtihād* which Allah ﷻ then corrected means that our master Muhammad ﷺ conveyed the *Sharī'ah* to people from his *Ijtihād* and not a revelation. And that he is not *ma'sum* (infallible) in some of what he conveyed to the people from the *Sharī'ah* of Islam. Rationally & from the *Sharī'ah* point of view this is invalid (*batil*). Indeed our master Muhammad ﷺ is a Prophet (*nabiy*) and a Messenger (*rasul*) like the rest of the Prophets and Messengers, protected from committing mistakes in that which he conveyed about Allah ﷻ which is a definite protection proved rationally (*dalīl 'aqli*). Furthermore, there are *Sharī'ah* evidences that are definite in their meaning that the Prophet's ﷺ conveyance of the Message (*risala*), in general and specific aspects, was only from revelation. And the Messenger ﷺ did not convey the *ahkām* except from revelation. He ﷻ said in Sura al-Ambiya:

﴿قُلْ إِنَّمَا أُنْذِرُكُمْ بِالْوَحْيِ﴾

"Say (O Muhammad (saw)): "I warn you only by the revelation"

[TMQ Ambiya: 45]

That is, tell them O Muhammad ﷺ that I warn you with the revelation that has been revealed to me. In other words my admonition to you is restricted to the revelation. And He ﷻ said in Sura an-Najm:

﴿وَمَا يَنْطِقُ عَنِ الْهَوَى۝إِنْ هُوَ إِلَّا وَحْيٌ يُوحَى﴾

"*Nor does he speak of his own desire. It is only an revelation that is inspired*"

[Sura Najm: 3-4]

The expression '*wama yantiqu*' is from the general form (*sighat al-'umum*). So it includes the Qur'ān and Sunnah. There is nothing in the Book and Sunnah that makes it specific to the Qur'ān. So it remains general that is, everything he has conveyed from the *Sharī'ah* is a revelation that has been revealed. It is not correct that it be specified to say that what he conveyed is only from the Qur'ān. Rather, it should remain general and inclusive of the Qur'ān and the *hadīth*.

And this is what the second *ayah* emphasises on when he ﷻ says,

﴿إِنْ هُوَ إِلَّا وَحْيٌ يُوحَى﴾

"It is only an revelation that is inspired" [TMQ Najm: 4]

As for the specification of what he ﷺ conveyed from Allah ﷻ in terms of legislation, and other rules, beliefs, thoughts and stories and the seperation of the styles and means and affairs of the world such as the agricultural activities, industry and sciences etc from it, This specification occurred due to two reasons: Firstly, Some of the texts [*nusoos*] revealed regarding them have specified them to legislation. He ﷺ said regarding the subject of pollinating the date palm:

﴿أنتم أدرى بأمور دنياكم﴾

"You are more knowledgeable in the affairs of your dunya"

[Reported by Muslim]

And he ﷺ told the Muslims in the battle of Badr when they asked him: Is this revelation from Allah ﷻ or is it a matter of opinion, war and strategy? He ﷺ replied:

﴿هو الرأي والحرب والمكيدة﴾

"It is a matter of opinion, war and strategy" [Reported by Alhakim]

These texts have specified the revelation to things that are other than the affairs of the world and whatever is related to war, opinion and strategy.

As for the second matter which specifies the revelation to legislation, beliefs and rules etc, it is clear from the topic of discussion. That is because he ﷺ is a messenger and the discussion is in what he ﷺ has been sent with and not anything else. So the subject of discussion has been specified, and the general address (*sighat al-'umum*) remains general, however only in respect to the subject which was addressed in generality and not all the subjects. Yes, the consideration is for the generality of the wording and not for the specificity of the cause (*sabab*) (*al-'ibra bi 'umum al-lafẓ la bi khusus al-sabab*). However what is meant by the cause (*sabab*) is the incident for which the Qur'ān was revealed. The topic is not specific to it rather it is general to all the incidents, so the subject is not regarding the particular incident rather all the incidents and it is pertaining to the subject of discussion and not in all subjects. The subject matter of revelation is the warning (*indhar*) that is, legislation and rules. He ﷻ said:

﴿قُلْ إِنَّمَا أُنْذِرُكُمْ بِالْوَحْيِ﴾

'*Say*: "*I warn you only by the revelation*" [TMQ Ambiya: 45]

And He ﷻ said in sura Sād:

﴿إِنْ يُوحَى إِلَيَّ إِلَّا أَنَّمَا أَنَا نَذِيرٌ مُبِينٌ﴾

"*Only this has been revealed to me, that I am a plain warner*" [TMQ Sād: 70]

These verses show that what was intended is what he ﷺ brought from the beliefs and rules and anything he ﷺ had been ordered to convey and warn people of. That is why it does not include the means and styles or the instinctual behaviour which are part of his natural disposition such as the manner of walking, pronunciation, eating etc..

They are regarding the matters related to the beliefs and *Sharī'ah* rules and not the means and styles and other things of a similar nature which do not come under beliefs and rules. Therefore, whatever the Messenger ﷺ brought, regarding what he ﷺ has been ordered to convey in all matters that relate to the actions of the servants and the thoughts, is a revelation from Allah ﷻ.

The revelation includes the sayings, actions and silence of the Messenger ﷺ, because we have been ordered to follow him.

And He ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*Whatsoever the Messenger (saw) gives you, take it, and whatsoever he forbids you, abstain from it*" [TMQ Hashr: 7]

And He ﷻ said:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

"*Indeed in the Messenger of Allâh (saw) you have a good example to follow*"

[TMQ Ahzaab :21]

Thus, the speech, action and silence of the Messenger ﷺ is a *Sharī'ah* evidence. They are all revelations from Allah ﷻ.

The Messenger of Allah, our master Muhammad ﷺ used to receive revelation and convey what he brought from Allah ﷻ, and resolve matters according to the revelation and did not deviate from the revelation. He ﷻ said in sura al-Ahqaf:

﴿إِنْ أَتَّبِعُ إِلَّا مَا يُوحَى إِلَيَّ﴾

"*I only follow that which is revealed to me*" [TMQ Ahqaaf: 9]

And He ﷻ said in sura al-A'raf:

﴿قُلْ إِنَّمَا أَتَّبِعُ مَا يُوحَى إِلَيَّ مِنْ رَبِّي﴾

"Say: "I but follow what is revealed to me from my Lord" [TMQ A'raaf: 203]

I.e I do not follow anything except what my Lord has revealed to me. Generally, all of this is explicit, clear and evident. Everything that relates to the Prophet ﷺ in terms of what he has been ordered to convey is only revelation. The legislative life of the Prophet ﷺ in clarifying the rules to the people proceeded on this manner, he ﷺ used to wait for the revelation in many of the *ahkām* such as in the case of *zihar*, *li'an* (imprecation) and the like. He did not state a *hukm* (rule) on an issue or perform an act of legislation or remain silent legislatively except on the revelation from Allah ﷻ. Sometimes the *Sahabah* ﷺ used to confuse the ruling on an action of the servants with an opinion concerning a thing, or a means or style. So they would ask the Messenger ﷺ: is that a revelation O Messenger of Allah? Or is it a matter of opinion and *mashura* (advice)? If he said it was revelation they would remain silent because they knew that it was not from the Prophet ﷺ himself. But if he ﷺ told them: no, it is an issue of opinion and *mashura* (advice) they would discuss with him and perhaps he ﷺ would even follow their opinion as in Badr, Uhud and Khandaq. And in matters other that what he conveyed from Allah ﷻ he ﷺ used to say:

﴿أنتم أدرى بأمور دنياكم﴾

"You are more knowledgeable in the affairs of your dunya"

As reported in the *hadīth* concerning the pollination of the date palm. Had the Prophet ﷺ said something pertaining the legislation without revelation he would not have waited for the revelation to state the *hukm* (ruling). And when the *Sahabah* ﷺ asked him whether a statement was a revelation or opinion, he ﷺ would have either replied to them from his mind or they would have discussed with him the matter without asking him whether it was a revelation or not. Therefore, nothing emanated from his ﷺ sayings, actions, and silence except if it came via revelation from Allah ﷻ and not from his own opinion. He ﷺ never made *Ijtihād* and *Ijtihād* is not allowed for him ﷺ according to the *Sharī'ah* and rationally also. As for the *Sharī'ah*, the verses of the Quran explicitly indicate the restriction of everything that relates to the revelation:

﴿قُلْ إِنَّمَا أُنْذِرُكُمْ بِالْوَحْيِ﴾

Say (O Muhammad (saw)): "I warn you only by the Revelation"

[TMQ Ambiyaa': 45]

﴿إِنْ أَتَّبِعُ إِلَّا مَا يُوحَى إِلَيَّ﴾

"I only follow that which is revealed to me" [TMQ Ahqaaf: 9]

﴿وَمَا يَنْطِقُ عَنِ الْهَوَى﴾

"*Nor does he speak of his own desire*" [TMQ Najm : 3]

As for the rational reason, it is because the Prophet ﷺ used to wait for the revelation in many rules despite the urgent need to clarify the ruling of Allah ﷻ. If *ijthad* was allowed for him he would not have delayed in giving the ruling but he would have performed *Ijtihād*. Because he ﷺ used to postpone giving the ruling until the revelation was sent down. This indicates he did not make *Ijtihād*. It also indicates that it was not allowed for him ﷺ to make *Ijtihād*. Had it been allowed he ﷺ would not have put off giving the ruling despite the need to do so. Also, it is obligatory to follow the Prophet ﷺ, if he exercised *Ijtihād* it would be possible for him to make a mistake. If he made a mistake we would be obliged to follow him so the matter would necessitate that we follow a mistake which is not valid because Allah ﷻ did not order to follow a mistake. Furthermore, the Messenger ﷺ is infallible (*ma'sum*) from making mistakes in the conveyance of the Message. It is absolutely impossible on his ﷺ part to make a mistake in the conveyance of (Allah's Message). Since allowing the Messenger ﷺ to make a mistake negates the (concept of) Messengership and prophethood. So the affirmation of Messengership and Prophethood determines that the Messenger is not allowed to make mistakes. Regarding the conveyance of the Message it necessitates that he is protected from making mistakes in the conveyance. So it is impossible on the part of the Messenger ﷺ to err in what he conveys from Allah ﷻ. Consequently, it is not allowed on his part to exercise *Ijtihād*. Everything conveyed by him from the rulings, in his ﷺ saying, action and silence is revelation from Allah ﷻ and nothing else.

It should not be claimed that Allah ﷻ will not allow him ﷺ to remain on the mistake. And that he ﷻ will swiftly clarify it to him ﷺ. This is because the mistake in *Ijtihād* when it occurs from the Messenger ﷺ becomes *fard* on the Muslims to follow until the clarification comes. Then this clarification would have reestablished another ruling different to that of the first ruling. The Muslims would be ordered to follow this ruling and leave the former ruling which is a mistake. This is invalid, it is not possible on Allah's ﷻ part the He ﷻ order the people to follow a mistake and then order them to leave it and follow the correct one. Similarly, it is not allowed on the part of the Messenger ﷺ that he conveys a ruling and then say to the people that this ruling is a mistake because it is from me, and the correct ruling is what has come to me from Allah ﷻ and inform them that they should leave the first ruling because it is a mistake and inform them of the correct ruling.

It should not be said that this is a rational evidence for a *Shari'ah* matter as that is not allowed, the reason is that the *Sharī'ah* matter requires a *Sharī'ah* evidence, since the *Sharī'ah* matter whose *dalīl* has to be only a *Sharī'ah* evidence is the *Sharī'ah* rule. As for beliefs, their evidence can be rational or a *Shari'ah* evidence. The subject whether the Prophet ﷺ is a *mujtahid* or not is from the beliefs and not from the *Sharī'ah* rules. So its evidence can be a rational or *Sharī'ah* evidence.The fact that it is not allowed for the Messenger ﷺ to be a *mujtahid* is proven by the rational evidence and the *Shari'ah* evidence. It is one of the beliefs.

It should not be claimed that the Messenger ﷺ actually performed *Ijtihād* in various rules and that Allah ﷻ did not recognise his *Ijtihād*, and that He ﷻ corrected the messenger's ﷺ *Ijtihād* and revealed verses which clarified the correct opinion. That should not be claimed because the Messenger ﷺ did not exercise any *Ijtihād* in conveying any rule of Allah ﷻ. Rather what is proven by the Qur'ānic text and the sound Sunnah is that he used to convey to the people from revelation. He ﷺ did not convey anything in terms of legislation, beliefs, rules and the like, except if it had come via the revelation and that he would wait until the revelation for a particular incident was not revealed.

As for the verses that are cited by those who say that the Messenger ﷺ actually performed *Ijtihād*, and in which they assume *Ijtihād* took place. There is no *ayah* in which *Ijtihād* took place. For example, His ﷻ saying:

﴿مَا كَانَ لِنَبِيٍّ أَنْ يَكُونَ لَهُ أَسْرَى حَتَّى يُثْخِنَ فِي الْأَرْضِ﴾

"*It is not for a Prophet that he should have prisoners of war (and free them with ransom) until he had made a great slaughter (among his enemies) in the land*"

[TMQ Anfāl: 67]

And such as His ﷻ saying:

﴿عَفَا اللَّهُ عَنْكَ لِمَ أَذِنْتَ لَهُمْ﴾

"*May Allâh forgive you (O Muhammad [sal-Allâhu 'alayhi wa sallam]). Why did you grant them leave (to remain behind)"* [TMQ Tawba: 43]

And like His ﷻ saying:

﴿وَلَا تُصَلِّ عَلَى أَحَدٍ مِنْهُمْ مَاتَ أَبَدًا وَلَا تَقُمْ عَلَى قَبْرِهِ﴾

"And never (O Muhammad (saw)) pray (janazah) for any of them (hypocrites) who dies, nor stand at his grave" [TMQ Tawba: 84]

And like His ﷻ saying:

﴿عَبَسَ وَتَوَلَّى ۞ أَنْ جَاءَهُ الْأَعْمَى﴾

"*(The Prophet (saw)) frowned and turned away, because there came to him the blind man*" [TMQ ʻAbasa: 1-2]

And other such ayats and *hadīth*, this is not due to his ﷺ exercising *Ijtihād* regarding a ruling and conveying it to the people. Rather, it is by way of a mild rebuke for undertaking actions which are contrary to what is more befitting for the Messenger ﷺ to do. It never happened that the Messenger ﷺ conveyed a specific ruling to the people and then an *ayah* came to clarify the error of the ruling which he had conveyed and clarify the mistake in his *Ijtihād* and demand that he ﷺ convey the correct opinion regarding this ruling. Rather the matter of truth is that the Messenger ﷺ undertook an action in applying a *Sharī'ah* rule from the rules of Allah ﷻ which had previously been sent down in the revelation and the Messenger ﷺ had already conveyed it to the people. The Messenger ﷺ acted in a manner contrary to what was more befitting for him to have done in accordance with this ruling. Thus, he was mildly reproached for this contradiction. This mild reproach is not a legislation of a new ruling. So the ruling has already been revealed, and its application had been ordered and the Messenger ﷺ had already conveyed it. Thus, in these incidents mentioned in these verses he ﷺ undertook an action in accordance with what Allah ﷻ had ordered, except that his ﷺ performance of this action was contrary to what was best, thus he was mildly rebuked for this. Therefore, these *ayat* mildly rebuke the Messenger ﷺ for undertaking what was contrary to the best action. They are not *ayat* which legislate new rules which had not been legislated earlier. Nor do they correct an *Ijtihād* or legislate another ruling which is at variance with the ruling the Messenger ﷺ had already made *Ijtihād* for. From the *Sharī'ah* and rationally it is allowed for the Prophets and Messengers to do what is contrary to the best because the meaning of doing what is contrary to the best is that it is a permissible (*mubah*) issue, however, some actions are better than others. Or, there is a matter which is preferable (*manduh*) but there are actions which are better than others. Thus, it is permissible for a person to live in the city or in the village. But living in the city is better than living in the village for the one who

wishes to see to the matters of ruling and accounting the rulers. If he lives in the village he has done contrary to what is the best. Giving *sadaqa* openly or discreetly is a preferable matter (*mandub*) but giving *sadaqa* secretly is better than giving it publicly. If he gives it in public, he has acted contrary to what is best. So, it is allowed for the Messenger ﷺ to undertake what is contrary to the best, rather it is allowed for him to do everything that is not considered sinful. He ﷺ infact undertook what was contrary to the best so Allah ﷻ mildly censured him for it. The one who thinks deeply about these verses that they cite will find that the wording of the verse, its understanding and meaning indicates this.

Thus, His ﷻ saying:

﴿مَا كَانَ لِنَبِيٍّ أَنْ يَكُونَ لَهُ أَسْرَى حَتَّى يُثْخِنَ فِي الْأَرْضِ﴾

"*It is not for a Prophet that he should have prisoners of war (and free them with ransom) until he had made a great slaughter (among his enemies) in the land*"

[TMQ Anfāl: 67]

indicates that the taking of prisoners had already been legislated on the condition that a severe slaughter (*ithkhan*) took place before it. This is supported by the *ayah*:

﴿حَتَّى إِذَا أَثْخَنْتُمُوهُمْ فَشُدُّوا الْوَثَاقَ﴾

"*Smite at their necks till when you have killed and wounded many of them, then bind a bond firmly on them (that is, take them prisoners)*"

[TMQ Muhammad: 4]

Thus, the ruling of taking prisoners was not revealed in the *ayah*:

﴿مَا كَانَ لِنَبِيٍّ أَنْ يَكُونَ لَهُ أَسْرَى﴾

"*It is not for a Prophet that he should have prisoners of war (and free them with ransom)*" [TMQ Anfāl: 67]

Rather, it was revealed before that in Sura Muhammad which is called the Sura of fighting (*sura al-qital*). It was revealed before Sura al-Anfal. Thus, it is in this Sura of fighting that the ruling of taking prisoners was revealed. He ﷻ said:

﴿فَإِذا لَقِيتُمُ الَّذِينَ كَفَرُوا فَضَرْبَ الرِّقَابِ حَتَّى إِذَا أَثْخَنْتُمُوهُمْ فَشُدُّوا الْوَثَاقَ فَإِمَّا مَنًّا بَعْدُ وَإِمَّا فِدَاءً حَتَّى تَضَعَ الْحَرْبُ أَوْزَارَهَا﴾

"*So, when you meet (in jihad), those who disbelieve smite at their necks till when you have killed and wounded many of them, then bind a bond firmly on them (that is, take them prisoners) Thereafter (is the time) either for generosity (that is, free therm without ransom), or ransom, until the war lays down its burden*" [TMQ Muhammad: 4]

So the rule of taking prisoners had been revealed and was known before the revelation of:

﴿مَا كَانَ لِنَبِيٍّ﴾

"*It is not for a Prophet...*" [TMQ Anfāl: 67]

In this verse there is no legislation for prisoners. And in the wording there is no legislation for prisoners to be found. Rather, it is only an address to the Messenger ﷺ that he should not have taken prisoners until he had inflicted a severe slaughter (*ithkhan*). What is meant by *ithkhan* is killing and creating intense fear. There is no doubt that on the day of Badr the *Sahabah* killed a great number of people and that they won the battle. It is not a condition of inflicting a severe

slaughter in the land that everyone should be killed. Then after killing a great number they took a group as prisoners. This is permitted from the *ayah* in Sura Muhammad which is the Sura of fighting and from this *ayah* as well. It indicates that after inflicting a severe slaughter (*ithkhan*) it is allowed to take prisoners. So this *ayah* has come to indicate a clear indication that the capture of prisoners was allowed according to the ruling of this *ayah*. So it is not correct to say that the Messenger ﷺ made *Ijtihād* regarding the ruling of prisoners of war when he took prisoners and the *ayah* was revealed to correct his *Ijtihād*. And nor is it the case that the capture done by the Messenger ﷺ in Badr was a legislation and the *ayah* came to clarify his mistake. Likewise this capture was not a sin or a breach of the rule that had been revealed. However, it indicates that the Messenger ﷺ in applying the rule of taking captives as mentioned in Sura Muhammad:

﴿حَتَّى إِذَا أَثْخَنتُمُوهُمْ﴾

"*Smite at their necks till when you have killed and wounded many of them*"

[TMQ Muhammad : 4]

in this incident i.e the battle of Badr, it was better if the killing was greater so that the *ithkhan* was more evident. Thus, the verse was revealed to mildly reproach the Prophet ﷺ for applying the ruling in a manner which is contrary to the best. It is the censure of an action undertaken by him to apply a previous ruling, it is not the legislation of a ruling and nor is it the correction of an *Ijtihād*. As for His ﷻ saying at the end of the *ayah*:

﴿تُرِيدُونَ عَرَضَ الدُّنْيَا وَاللَّهُ يُرِيدُ الْآخِرَةَ وَاللَّهُ عَزِيزٌ حَكِيمٌ﴾

"*You desire the good of this world, but Allah desires for you the hereafter. And Allah is All-Mighty, All-Wise*"
[TMQ Anfāl: 67]

This is the conclusion of the rebuke in the *ayah*. that is, you have taken prisoners before doing your outmost to inflict a severe slaughter (*ithkhan*) hoping to get ransom for those prisoners i.e by taking captives you desire the transient things of the world, from the ransom (*fidya*) which is the consequence of taking them captive. And Allah ﷻ wishes to strengthen His ﷻ *deen* by killing them in the battle & not by taking them as prisoners. The issue is the taking of prisoners and desiring the good of this world is a result of the capture, it is not a mild rebuke for taking ransom. Rather, it is only a mild rebuke for taking captives before inflicting a severe slaughter. It completes the meaning of the *ayah* which began with this meaning from its very beginning:

﴿مَا كَانَ لِنَبِيٍّ أَنْ يَكُونَ لَهُ أَسْرَى حَتَّى يُثْخِنَ فِي الْأَرْضِ تُرِيدُونَ عَرَضَ الدُّنْيَا وَاللَّهُ يُرِيدُ الْآخِرَةَ وَاللَّهُ عَزِيزٌ حَكِيمٌ﴾

"*It is not for a Prophet that he should have prisoners of war (and free them with ransom) until he had made a great slaughter (among his enemies) in the land. You desire the good of this world, but Allah desires for you the hereafter. And Allah is All-Mighty, All-Wise*" [TMQ Anfāl: 67]

As for His ﷻ saying:

﴿لَوْلَا كِتَابٌ مِنَ اللَّهِ سَبَقَ لَمَسَّكُمْ فِيمَا أَخَذْتُمْ عَذَابٌ عَظِيمٌ﴾

"*Were it not a previous ordainment from Allah, a severe punishment ('azaab) would have touched you for what you took*" [TMQ Anfāl: 68]

It is not a promise of a punishment from Allah ﷻ for taking ransom as some would imagine. Rather, it clarifies the consequences that could possibly result from taking prisoners before doing ones outmost to inflict asevere slaughter, such as losing the battle and Muslims being killed by the *Kuffar*. This is the great punishment; it is not the punishment of Allah ﷻ. i.e, if it were not that Allah ﷻ knew that you would be victorious, then for taking prisoners before doing your

outmost to slaughter the *Kuffar*, your enemies would haves killed you and defeated you. The Qur'ān has used the word *'azaab* (punishment) for killing in war. He ﷻ said:

﴿قَاتِلُوهُمْ يُعَذِّبْهُمُ اللَّهُ بِأَيْدِيكُمْ﴾

"*Fight against them so that Allah will punish them (yu'azzibihum) by your hands*"

[TMQ Tawba: 14]

It cannot be that it means the punishment of Allah ﷻ, because the address is general to the Messenger ﷺ and the believers. Because if the *ayah,* as they contend, is considered to be correcting an *Ijtihād* then it is a mistake that has been forgiven for which they do not deserve to be punished by Allah ﷻ. If it is considered a mild reproach for acting contrary to what is best, as is the reality in this case, then it does not merit any punishment from Allah ﷻ. It is not at all possible that it means the approaching of a punishment from Allah ﷻ, Rather the meaning is that your enemies would have killed and humiliated you. As for the *hadīth* reported regarding the cause of this *ayah* being revealed, and regarding its stories, they are isolated reports (*khabar ahad*) which are not admissable as evidence for the aqeeda. Permitting or not permitting *Ijtihād* on the part of the Messenger ﷺ is from the creedal issues.

As for what was revealed by Allah ﷻ in the Quran:

﴿عَفَا اللَّهُ عَنْكَ لِمَ أَذِنْتَ لَهُمْ حَتَّى يَتَبَيَّنَ لَكَ الَّذِينَ صَدَقُوا وَتَعْلَمَ الْكَاذِبِينَ﴾

"*May Allâh forgive you (O Muhammad (saw)). Why did you grant them leave (for remaining behind; you should have persisted as regards your order to them to proceed on Jihâd), until those who told the truth were seen by you in a clear light, and you had known the liars?"* [TMQ Tawba: 43]

It does not indicate *Ijtihād* because the ruling that the prophet ﷺ was permitted to excuse whomever he wished was revealed before this *ayah*. Allah ﷻ says in Sura An-Nur:

﴿فَإِذَا اسْتَأْذَنُوكَ لِبَعْضِ شَأْنِهِمْ فَأْذَنْ لِمَنْ شِئْتَ مِنْهُمْ﴾

"*So, if they ask your permission for some affairs of theirs, give permission to whom you wish from them*"

[TMQ Nur: 62]

And this Sura was revealead after Sura Al-Hashr in the battle of the trench, and the *ayah*

﴿عَفَا اللَّهُ عَنْكَ﴾

"May Allâh forgive you" [TMQ Tawba: 43]

was revealead in Sura At-Tawba, and it was revealed in the context of the battle of Tabuk in the ninth year *Hijri*, so the ruling was well known and the *ayah* of Sura an-Noor clearly indicates that the prophet ﷺ is permitted to excuse those who ask him for permission (to stay behind).

However in the incident for which the *ayah* of Sura at-Tawba was revealed, i.e the expedition of Tabuk and the preparation of the army of '*usra* (hardship), It would have been better if the Messenger ﷺ did not grant the hypocrites (*munafiqin*) permission to stay behind. When he ﷺ gave them the permission in that very incident, Allah ﷻ mildy rebuked him for this action, i.e He ﷻ rebuked him ﷺ for undertaking an action that was contrary to what was better. The *ayah* does not correct an *Ijtihād* and it does not legislate a ruling which is different to the ruling the Messeneger ﷺ had made *Ijtihād* for concerning the same incident. Rather, it is a mild rebuke for something that was contrary to what was best.

As for His ﷻ saying:

﴿وَلَا تُصَلِّ عَلَى أَحَدٍ مِنْهُمْ مَاتَ أَبَدًا وَلَا تَقُمْ عَلَى قَبْرِهِ إِنَّهُمْ كَفَرُوا بِاللَّهِ وَرَسُولِهِ وَمَاتُوا وَهُمْ فَاسِقُونَ﴾

"*And never (O Muhammad (saw)) pray (janazah) for any of them (hypocrites) who dies, nor stand at his grave. Certainly, they disbelieved in Allah and His Messenger, and died while they were fasiqun (transgressors)"*

[TMQ Tawba: 84]

It came after His ﷻ saying:

﴿فَإِنْ رَجَعَكَ اللَّهُ إِلَى طَائِفَةٍ مِنْهُمْ فَاسْتَأْذَنُوكَ لِلْخُرُوجِ فَقُلْ لَنْ تَخْرُجُوا مَعِيَ أَبَدًا وَلَنْ تُقَاتِلُوا مَعِيَ عَدُوًّا إِنَّكُمْ رَضِيتُمْ بِالْقُعُودِ أَوَّلَ مَرَّةٍ فَاقْعُدُوا مَعَ الْخَالِفِينَ . وَلَا تُصَلِّ عَلَى أَحَدٍ مِنْهُمْ﴾

" If Allah brings you back to a party of them (the hypocrites), and they ask your permission to go out (to fight), say: "Never shall you go out with me, nor fight an enemy with me; you agreed to sit inactive on the first occasion, then you sit (now) with those who lag behind. And never (O Muhammad (saw)) pray (janazah) for any of them (hypocrites)..." [TMQ Tawba: 83-84]

Allah ﷻ has clarified in the *ayah*;

﴿فَإِنْ رَجَعَكَ اللَّهُ إِلَى طَائِفَةٍ مِنْهُمْ﴾

"*If Allah brings you back to a party of them (the hypocrites)"*

[TMQ Tawba: 83]

that the Messenger ﷺ should not allow them to accomany him in his expedetions. And this was in order to humiliate and disgrace them so that they do not get the hounour of making *jihad* and going out (to fight) with the Messengerﷺ. And He ﷻ in the *ayah* that comes immediatly after

﴿وَلَا تُصَلِّ عَلَى أَحَدٍ مِنْهُمْ﴾

"*And never (O Muhammad (saw)) pray (janazah) for any of them (hypocrites*)"

[TMQ Tawba: 84]

announced (just) another thing to humiliate them. This took place during the campaign against them in order to destroy them. So this *ayah*, the *ayah* before it and the *ayah* after it clarify the rules regarding the hypocrites and the manner in which they should be treated by showing them contemp, humiliating them and lowering them them from the status of the believers. There is nothing in the *ayah* which indicates that the Messenger ﷺ made *Ijtihād* regarding a ruling. The *ayah* came showing the contrary. Rather it is the preliminary legislation with respect to the hypocrites. It is in line with the other verses regarding the hypocrites repeated in the same Sura. Nothing appears in it, whether explicitly, by way of indication, by wording or understanding, or giving cause for any semblence (*shubha*) (of such a meaning) that it corrects an *Ijtihād* or draws attention to a mistake. As for what has been narrated regarding the reason for revealing this *ayah* in terms of reports, they are solitary reports (*akhbar ahad*) and are not admissable as evidence for *'aqīdah* (creed) and nor can they contradict the definite text which restricts the Meseneger's ﷺ conveyance of rulings to that what he ﷺ brought through revelation and nothing else. He ﷺ did not follow anything but the revelation. Let alone that these *ahadīth* should make 'Umar bin al-Khattab ﷺ try to prevent the Messenger ﷺ from praying the janazah. So either he wanted to prevent him from doing an action legislated as a ruling or he wanted to prevent the Messenger ﷺ from undertaking a worship according to a legislated *Shari'ah* rule and the Messenger ﷺ was silent about it. Then he ﷺ reverted to 'Umar's opinion after the revelation of this *ayah,* This is not allowed in respect to the Messenger ﷺ. Acting upon this *hadīth* contradicts the fact the Mesenger ﷺ is a Prophet, so the *hadīth* is rejected in terms of meaning (*dirayatan*). The *hadīth* indicates that

the Messenger ﷺ gave his shirt to 'Abd Allah ibn Ubayy and that he tried to pray (*janaza*) for him though he was the head of the *munafiqin*. 'Abd Allah ibn Ubayy was exposed by Allah ﷻ after the battle of Bani al-Mustaliq, his son came to the Messenger ﷺ to find out if the Messenger ﷺ had taken the desicion to kill him so that he may himself kill his father. Allah ﷻ revealed Sura al-Munafiqin after the battle of Bani al-Mustaliq and He ﷻ said to the Messenger ﷺ regrading it:

﴿هُمُ الْعَدُوُّ فَاحْذَرْهُمْ قَاتَلَهُمُ اللَّهُ أَنَّى يُؤْفَكُونَ﴾

"*They are the enemies, so beware of them. May Allah curse them! How are they denying the Right Path*"
[TMQ Munafiqoon: 4]

And He ﷻ told him with respect to it:

﴿فَطُبِعَ عَلَى قُلُوبِهِمْ﴾

"*Therefore their hearts are sealed"* [TMQ Munafiqoon: 3]

And He ﷻ told him:

﴿وَاللَّهُ يَشْهَدُ إِنَّ الْمُنَافِقِينَ لَكَاذِبُونَ﴾

"*Allah bears witness that the hypocrites are indeed liars*" [TMQ Munafiqoon: 1]

And then the Messenger ﷺ came after this and gave his shirt to the head of the hypocrites and tries to pray (*janaza*) for the head of the hypocrites and then 'Umar ﷺ prevents him. This contradicts the *ayāt*. The *ayah* of Sura al-Tawba was revealed in the ninth year (AH) after Sura al-Munafiqin by a number of years. So the *ahadīth* about 'Umar (ra) and the shirt and other such *ahadīth* contradict the reality of how the hypocrites were treated after the battle of Bani al-Mustaliq and they contradict the verses which were revealed before it regarding the hypocrites. Therefore, they are rejected also from this angle in terms of their meaning (*dirayatan*).

As for His ﷻ saying:

﴿عَبَسَ وَتَوَلَّى ۞ أَنْ جَاءَهُ الْأَعْمَى ۞ وَمَا يُدْرِيكَ لَعَلَّهُ يَزَّكَّى﴾

"(The Prophet (saw)) frowned and turned away, because there came to him the blind man. But what could tell you that per chance that he might become pure (from sins)"

[TMQ 'Abasa: 1-2]

and the *ayāt* that follow, they do not indicate any *Ijtihād*..The Messenger ﷺ is ordered to convey the *Da'wah* to all the people and to teach Islam to the Muslims. It is for the Messenger ﷺ to undertake both the orders all the time. 'Abd Allah ibn Umm Maktum became a Muslim and learnt Islam. He came to the Messenger of Allah ﷺ while he was with the leaders of Quraysh; 'Utbah and Shaybah (the two sons of Rabi'ah), Abu Jahl ibn Hisham, al-'Abbas ibn al-Muttalib, Umayyah ibn Khalaf, al-Walid ibn al-Mughira. He ﷺ was inviting them to Islam in the hope that others would embrace Islam if they entered its fold. Ibn Umm Maktum said to the Prophet ﷺ while he was in this situation: Oh Messenger of Allah! Teach me to read and teach me what Allah ﷻ has taught you'. He repeated this not knowing that the Prophet ﷺ was busy (speaking) with these people. The Messenger of Allah ﷺ did not like the interruption in his conversation and so he frowned and turned away, and so this verse was reveled. The Messenger ﷺ is ordered to convey (the *Da'wah*) and ordered to teach Islam. So he undertook the convayance of the Call and turned away from teaching the one who asked to be tought due to being preoccupied with the convayance of the *Da'wah*. It was better for him to teach Ibn Umm Maktum ﷺ what he had asked for. But he ﷺ did not do this so Allah ﷻ mildly rebuked him ﷺ for that. Since his ﷺ

turning away from Ibn Umm Maktum ﷺ was contrary to the best action, so Allah ﷻ mildy rebuked him ﷺ for undertaking what was contrary to the best. In this there is no *Ijtihād* concerning a ruling or a correction of an action. It was only the application of Allah's ﷻ ruling upon a certain incident which was contrary to the best action for which Allah ﷻ mildy censured him.

Thus, there is no indication in the aforementioned *ayat* of the occurance of *Ijtihād* from the Messenger ﷺ. Since no *Ijtihād* came from him ﷺ regarding what he conveyed from Allah ﷻ, *Ijtihād* is not allowed for him ﷺ whether rationally or according to the *Shari'ah*. The Messenger ﷺ was not a *mujtahid* and it is not allowed in respect to him ﷺ that he be a *mujtahid*. It was only a revelation revaled to him by Allah ﷻ and this revelation (*wahy*) is either by wording and meaning as in the Noble Qur'ān or it is meaning only which is given expression by the Messenger ﷺ either with his own words or by his silence which alludes to a ruling or by doing an action and that, all of it, is the Sunnah.

The Noble Qur'ān

The Qur'ān was revealed to the Prophet ﷺ in parts over a period of twenty-three years. Its revelation occured in various ways: at times in (quick) succession and at times after a period of time. The Qur'ān was revealed gradually and not all at once due to a wisdom Allah ﷻ mentioned in the noble Qur'ān,

﴿وَقَالَ الَّذِينَ كَفَرُوا لَوْلَا نُزِّلَ عَلَيْهِ الْقُرْآنُ جُمْلَةً وَاحِدَةً﴾

"And those who disbelieve say: *"Why is not the Qur'ān revealed to him all at once?" Thus (it is send down in parts), that We may strengthen your heart thereby"*

[TMQ Furqān: 32]

i.e, thus it has been revealed in parts so that We may strengthen your heart, by its division, so that you may understand it fully and memorise it. And He ﷻ said:

﴿وَقُرْآنًا فَرَقْنَاهُ لِتَقْرَأَهُ عَلَى النَّاسِ عَلَى مُكْثٍ وَنَزَّلْنَاهُ تَنْزِيلًا﴾

"And (it is) a Qur'ān which We have divided (into parts), in order that you recite it to the people at intervals; and We have revealed it in stages"

[TMQ Isrā': 106]

i.e, it is a Qur'ān which he ﷻ revealed in parts, gradually, at intervals, that is, slowly, without haste and with demonstration; He ﷻ revealed it in stages, i.e according to incidents. So, in order to strengthen the heart of the Messenger ﷺ and so as to recite it to the people slowly without haste, and also in order to reveal it according to the incidents and with answers to the questions, the Qur'ān was revealed gradually and in parts over twenty-three years.

The Qur'ān would be revealed to the Messenger of Allah ﷺ and he ﷺ would then instruct the people to memorise it, write it down on pieces of leather or a sheet or papyrus, he would also write on the scapula bone, the palm risp or the *lukhaf* (a thin broad white stone) i.e on the shoulder blades, leaf stalks of date palm and soft stones. When the *ayāt* would be revealed he would give the order that they be placed in their proper place in the Sura's. Thus, he used to say, put this *ayah* in such and such sura after such and such *ayah*. So they used to put them in their proper place in the Sura. It has been narrated by 'Uthman ﷺ that:

كان النبي ﷺ تنزل عليه الآيات فيقول ضعوها في السورة التي يذكر فيها كذا"

"The *ayāt* used to be revealed to the Prophet ﷺ and so he used to say: Put these *ayāt* in the Sura which mentions such and such a matter"

[Tirmizi & Abu Dawud]

It was done in this manner until the whole Qur'ān was revealed and Allah ﷻ took his ﷺ soul after the revelation of the Qur'ān was complete. That is why the arrangement of the verses of every Sura in the form as it is now in the present script (*mushaf*) was as determined by the revelation, from the Prophet ﷺ, transmitted to him ﷺ by *Jibreel* عليه السلام from Allah ﷻ. And according to this arrangement the *Ummah* transmitted the Qur'ān from her Prophet ﷺ and there is no difference (*ikhtilaf*) about this. The order of the *ayat* in the Sura's that we observe today is the very form the Messenger of Allah ﷺ ordered. And it is the same form as that was written on the shoulder blades (of animals), palm risps & the *lukhaf's* (a thin broad white stone) and preserved in the hearts of men. Consequently, the arrangement of verses within the Sura's is definite that it

is determined by the revelation to the Messenger of Allah ﷺ, from *Jibreel* عليه السلام, from Allah ﷻ. As for the arrangement of the Sura's, certain chapters (Sura's) were put together according to the *Ijtihād* of *Sahabah* ﷺ. Ahmad and the *Sunan* compilers have reported a *hadīth* by Ibn 'Abbas which has been declared sound by Ibn Hibban and al-Hakim, they narrated:

'I (Ibn 'Abbas) said to 'Uthman

'What induced you to position together Sura *al-Anfal* which is from the *mathani* (suras with less than 100 *ayāt*), and Sura *al-Baraa'ah* when it is from the mi'un (consisting of about 100 *ayāt*). You have put them together and you did not write between them the line '*bismillah ar-rahman a-rahim'* and you have placed them among the seven long (*tiwal*) Suras.

So 'Uthman said:

﴿كان رسول الله ﷺ كثيراً ما تنزل عليه السور ذات العدد، فإذا نزل عليه شيء – يعني منها – دعا بعض من كان يكتب فيقول: ضعوا هؤلاء الآيات في السورة التي يذكر فيها كذا، وكانت الأنفال من أوائل ما نزل بالمدينة، وبراءة من آخر القرآن وكانت قصتها شبيهة بها فظننت أنها منها. فقُبِض رسول الله ﷺ ولم يبين لنا أنها منها﴾

'Often a sura would be revealed to the Messenger of Allah ﷺ that would have a number of verses. When something was revealed to him - that is, verses from it- he used to call someone from among those who used to write for him and say: "Place these *ayāt* in the Sura, in which this and this is mentioned. Sura *al-Anfal* was one of the first to be revealed in Madinah and *al-Baraa'ah* was at the end of the Qur'ān. Their narrative used to resemble each other so I thought *Anfal* was part of *Baraa'ah*.' The Messenger of Allah ﷺ died and he did not clarify to us if anfal was part of *baraa'ah'*

It has been narrated by Sa'id ibn Jubayr from Ibn 'Abbas (ra) who said that:

﴿كان النبي ﷺ لا يعلم ختم السورة حتى ينزل بسم الله الرحمن الرحيم ﴾

"The Prophet ﷺ did not know the ending of a sura until '*bismillah ar-rahman a-rahim'* would revealed"

And In another narration:

﴿فإذا نزلت بسم الله الرحمن الرحيم علموا أن السورة قد انقضت﴾

"When *bismillah ar-rahman ar-rahim* was revealed they knew that the Sura had come to an end"

This indicates that the order of the *ayat* in every Sura was determined by revelation. And since the Prophet ﷺ did not elucidate the issue of Sura baraa'ah 'Uthman ﷺ added it to al-Anfal according to his own *Ijtihād* (may Allah be pleased with him). The author of al-Iqna' reported that the *Basmala* (abbr. for *bismillah ar-rahman ar-rahim*) for Baraa'ah is present in the *mushaf* of Ibn Mas'ud ﷺ. It has been reported that the *Sahabah* ﷺ used to keep copies whose arrangement of Sura's was different though there were no differences in the verse arrangement. So the *mushaf* of Ibn Mas'ud ﷺ was compiled in a manner different to the *mushaf* of 'Uthman ﷺ in terms of the arrangement of the Sura's. It began with *al-fatiha*, then *al-baqarah, al-nisa* and *Aali 'Imran*, contrary to the 'Uthmani *mushaf* whose arrangement is *al-fatiha, al-baqarah, Aali 'Imran* and then *al-nisa*. None of them were compiled according to the order of revelation. It is said that the *mushaf* of 'Ali (ra) was according to the order of revelation, it began with *iqra'*, then *al-muddaththir, nun wal qalam, al-muzzammil, tabbat, al-takweer, sabbih*, it went on in this manner to the end of the Makkan suras and then to the Medinan Suras. All of this indicates that the Sura arrangement in relation to

some Sura's was arranged according to the *Ijtihād* of the *Sahabah*. That is why maintaining the arrangement of Sura's in recitation in not obligatory whether in reciting the Qur'ān (*tilaawah*), in the salah, in a lesson or teaching. As evidenced by the fact that the Prophet ﷺ read Sura *al-Nisa* before *Aali 'Imran* in his night prayer. As for what has been reported about the prohibition of reciting the Qur'ān in reverse order, what was intended was that an *ayah* in one Sura should not be read in reverse and not the recitation of Sura's in reverse order.

Jibreel عليه السلام would recite all of what had been revealed to the Messenger ﷺ from the Qur'ān once every year. And in the year in which the Messenger of Allah ﷺ died Jibreel عليه السلام recited the whole of the Qur'ān twice to the Messenger ﷺ. It has been narrated by 'Aisha رضي الله عنها on the authority of Fatimah رضي الله عنها that:

﴿أَسَرَّ إليّ النبي ﷺ أن جبريل يعارضني بالقرآن كل سنة وأنه عارضني العام مرتين ولا أراه حضر إلا أجلي﴾

"The Prophet, may Allah bless him and grant him peace, confided to me, 'Jibril used to review the Qur'ān with me every year, but this year he reviewed it with me twice. I only think that my time is approaching"

[Reported by Bukhari]

It has been narrated about Abu Hurairah (ra) that he said:

﴿كان يعرض على النبي ﷺ القرآن كل عام مرة فعرض عليه مرتين في العام الذي قبض فيه﴾

"Jibreel used to present the Qur'ān to the Prophet once a year, but he presented it twice in the year he ﷺ died"

Jibreel's presentation of the Qur'ān to the Messenger ﷺ every year means that he presented the arrangment of its verses in relation to other verses and the arrangement of its verses in their respective chapters because presenting the book means to present its sentences, words and arrangement. He presented it to him twice in the year in which the Messenger ﷺ died. This means that the arrangement of the verses in relation to each other was presented and as well as the arrangment of verses in their respective Sura's. Similarly, it is possible to understand the *hadīth* to mean that the Sura arrangment in relation to each other was presented. However, ther are other *ahadīth* which explicitly mention the arrangment of the verses. They state the arrangment of the verses in relation to each other and the arrangment of verses in their respective chapters:

﴿ضعوا هذه الآيات في سورة كذا بعد آية كذا﴾

"Place these verses in such and such sura after such and such *ayah*"

And

﴿ضعوا هؤلاء الآيات في السورة التي ذكر فيها كذا وكذا﴾

"Place those verses in the Sura that mentioned such and such thing"

A Sura would end and another Sura would begin as commanded by Allah ﷻ through *Jibreel* عليه السلام. It has been reported that Ibn 'Abbas رضي الله عنهما said:

﴿كان النبي ﷺ لا يعلم ختم السورة حتى ينزل بسم الله الرحمن الرحيم﴾

"The Prophet ﷺ would not know the ending of a sura until '*bismillah l-rahman al-raheem*' was revealed"

And in another narration;

﴿فإذا أنزلت بسم الله الرحمن الرحيم علموا أن السورة قد انقضت﴾

"When *'bismillah l-rahman al-raheem'* is reveled then they would know that the sura has come to an end" [Sunan Bayhaqi & Abu dawud]

All of this definitely indicates that the arrangement of *ayat* in their Sura's and the form of the Suras in terms of the number of verses and their places, all of that is determined by Allah ﷻ. The *Ummah* transmitted it in this form from her Prophet ﷺ and that is proven by *tawaatur* (recurrent reports). As for the arrangment of the Sura's in relation to each other, this can be understood by the *ahadith* discussing the arrangment of the Qur'ān and it can be understood from other *ahadith* as well.

Narrated by Aisha ﵂, the mother of the Believers, that a person from Iraq came to her and asked, 'What type of shroud is the best?' 'Aisha said,'May Allah be merciful to you! What does it matter?' He said, 'O mother of the believers! Show me (the copy of) your Qur'ān,' She said,'Why?" He said, "In order to compile and arrange the Qur'ān according to it, for people recite it with its sura's not in proper order." 'Aisha said, "What does it matter which part of it you read first? Know that the first thing that was revealed thereof was a Sura from *al-Mufassal*, and in it was mentioned Paradise and the Fire. When the people embraced Islam, the *ayat* regarding legal and illegal things were revealed. If the first thing to be revealed was: 'Do not drink alcoholic drinks.' people would have said, 'We will never leave alcoholic drinks,' and if there had been revealed, 'Do not commit illegal sexual intercourse, 'they would have said, 'We will never give up illegal sexual intercourse.' While I was a young girl of playing age, the following verse was revealed in Makkah to Muhammad:

﴿بَلِ السَّاعَةُ مَوْعِدُهُمْ وَالسَّاعَةُ أَدْهَى وَأَمَرُّ﴾

"*Nay! But the Hour is their appointed time (for their full recompense), and the Hour will be more grievous and more bitter*" [TMQ Qamar:46]

Sura *al-Baqara* and Sura *an-Nisa* were revealed while I was with him."

Then 'Aisha took out the copy of the Qur'ān for the man and dictated to him the verses of the Sura's (in their proper order). This *hadīth* shows that the Qur'ān had not been put together (in order), in addition to this the different arrangment of *mushafs* of the *Sahabah* indicate that the arrangment of Sura's in relation to each other was done in agreement amongst the *Sahabah*.

The Compilation of the Qur'ān

It has been proven by decisive and definite evidence that when the Prophet ﷺ died the whole Qur'ān had been written on pieces of shoulder blades (of animals), palm risps and on *lukhaf's* (a thin broad white stone). All of it was preserved in the hearts of the *Sahabah* (may Allah be pleased with them). When an *ayah* or *ayāt* would be revealed he ﷺ would order that they be written down before him at once. He did not prevent the Muslims from writing the Qur'ān in other than what he used to dictate to the scribes who wrote down the revelation. Muslim reported a *hadīth* from Abu Sa'id al-Khudri ﷺ that the Messenger of Allah ﷺ said:

﴿لا تكتبوا عني ومن كتب عني غير القرآن فليمحه﴾

'Do not write down anything from me, whosoever writes anything I have said other than the Qur'ān let him erase it"

What the scribes wrote from the revelation was collected on sheets. He ﷻ said:

﴿رَسُولٌ مِنَ اللَّهِ يَتْلُو صُحُفًا مُطَهَّرَةً﴾

"*A Messenger from Allah, reciting purified pages (suhuf) (of the Qur'ān)"* [TMQ Bayyinah:2]

i.e, reciting sheets purified from falsehood, honestly handwritten unequivocally true and just. Allah ﷻ said:

﴿كَلَّا إِنَّهَا تَذْكِرَةٌ . فَمَنْ شَاءَ ذَكَرَهُ . فِي صُحُفٍ مُكَرَّمَةٍ . مَرْفُوعَةٍ مُطَهَّرَةٍ . بِأَيْدِي سَفَرَةٍ . كِرَامٍ بَرَرَةٍ ﴾

"Nay, indeed it (verses of the Qur'ān) are an admonition (tazkirah). So whoever wills, let him pay attention to it. (It is) in Records held (greatly) in honour. Exalted (in dignity), purified. In the hands of scribes. Honourable and obedient"

[TMQ 'Abasa: 11-16]

i.e this admonition established in the records is held (highly) in honour with Allah ﷻ and exalted in value, free from the hands of those that are corrupt and that they have been written down by God fearing scribes. He ﷺ left everything that was written between the two covers of the *mushaf* which had been written down in front of him. 'Abd al-'Aziz b Rufayya' narrated:

"دخلت أنا وشداد بن معقل على ابن عباس رضي الله عنهما فقال له شداد بن معقل: أَترك النبي ﷺ من شيء؟ قال: ما ترك إلا ما بين الدفتين. قال: ودخلت على محمد بن الحنفية فسألنا فقال ما ترك إلا ما بين الدفتين"

"Shaddad bin Ma'qil and I entered upon Ibn 'Abbas. Shaddad bin Ma'qil asked him, 'Did the Prophet leave anything (besides the Qur'ān)?' He replied. "He did not leave anything except what is between the bindings (of the Qur'ān).' Then we visited Muhammad bin al-Hanafiyya and asked him (the same question). He replied, 'The Prophet did not leave except what is between the bindings (of the Qur'ān)"

An *Ijma'* (consensus) has been established on the fact that all of the verses of the Qur'ān in their respective chapters (Sura's) had been written down directly in front of the Messenger ﷺ when the revelation was being revealed to him, and that they were written on sheets (*suhuf*). The greatest of the Messengers ﷺ died content about the Qur'ān, his greatest miracle which established the proof for the Arabs and the world. He did not fear for the verses of the Qur'ān that they would be lost because Allah ﷻ has preserved the Qur'ān with an explicit text:

﴿إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ﴾

"*Verily We: It is We who have sent down the Zikr (the Qur'ān) and surely, We will guard it (from corruption)*" [TMQ Hijr: 9]

Because these verses had been preserved permanently via them being written down before him ﷺ, and being preserved in the hearts of the *Sahabah* and by the permission granted to the Muslims to write down the Qur'ān. This is why after the death of the Messenger ﷺ the *Sahabah* did not feel the need to compile the Qur'ān in one book or the need to write it down until many of the *Huffaz* (memorisers of the Qur'ān) had been killed in the *Riddah* wars. So due to this 'Umar ﷺ feared for the loss of the sheets (*suhuf*) and the death of the *Qurra'* (Those who had committed the whole of the Qur'ān to memory), thereby causing some verses to be lost. So he thought about bringing the written sheets together (in one compilation). He presented his idea to Abu Bakr ﷺ and so the compilation of the Qur'ān was performed. It has been narrated by 'Ubayd ibn al-Sibaq that Zayd b al-Thabit al-Ansari said: Abu Bakr ﷺ sent for me after the (heavy) casualties among the warriors (of the battle) of Yamama (where a great number of *Qurra'* were killed). 'Umar ﷺ was present with Abu Bakr ﷺ who said, 'Umar ﷺ has come to me and said, The people have suffered heavy casualties on the day of (the battle of) Yamama, and I am afraid that there will be more casualities among the *Qurra'* (those who know the Qur'ān by heart) at other battle-fields, whereby a large part of the Qur'ān may be lost, unless you collect it. And I am of the opinion that you should collect the Qur'ān." Abu Bakr ﷺ added, "I said to 'Umar ﷺ,

"كيف تفعلون شيئاً لم يفعله رسول الله ﷺ"

'How can you do something which Allah's Apostle ﷺ did not do?'

'Umar ﷺ said (to me),

"هو والله خير"

'By Allah, it is (really) a good thing.'

So 'Umar ﷺ kept on trying to convince me and persuade me to accept his proposal till Allah ﷻ opened my heart for it and I had the same opinion as 'Umar.' (Zayd b al-Thabit added:) Umar ﷺ was sitting with him (i.e Abu Bakr) and was not speaking to me). 'You are a wise young man and we do not suspect you (of telling lies or of forgetfulness): and you used to write the revelation (*wahy*) for Allah's Apostle ﷺ. Therefore, look for the Qur'ān and collect it (in one manuscript). 'By Allah, if he (Abu Bakr) had ordered me to shift one of the mountains (from its place) it would not have been harder for me than what he had ordered me concerning the collection of the Qur'ān. I said to both of them, "How dare you do a thing which the Prophet ﷺ has not done?' Abu Bakr ﷺ said, 'By Allah, it is (really) a good thing So I kept on arguing with him about it till Allah ﷻ opened my heart for that which He ﷻ had opened the hearts of Abu Bakr ﷺ and Umar ﷺ. So I started locating the Qur'ānic material and collecting it from the parchments, scapula bones, leaf-stalks of date palms and from the memories of men (who knew it by heart). I found two Verses of Sura at-Tawba with Abu Khuzaima which I did not find with anybody else, (and they were):

﴿لَقَدْ جَاءَكُمْ رَسُولٌ مِنْ أَنْفُسِكُمْ عَزِيزٌ عَلَيْهِ مَا عَنِتُّمْ﴾

"*Verily, there has come unto you a Messenger from amongst yourselves. It grieves him that you should receive any injury or difficulty*" [TMQ Tawba: 128]

until the end of Sura *Bara'ah*. The manuscript on which the Qur'ān was collected, remained with Abu Bakr ﷺ till he passed away, and then with 'Umar ﷺ during his lifetime, and finally it

remained with Hafsa bint Umar ﷺ. Zayd's compilation of the Qur'ān did not consist of what he ﷺ wrote down from the *Huffaz* (i.e the memorisers of the Qu'ran). Rather his compilation brought together what he had written himself in front of the Messenger of Allah ﷺ. He did not place one sheet/page with another sheet in order to compile them unless two witnesses testified, for every sheet that had been presented to him that it was written in the presence of the Messenger of Allah ﷺ. Furthermore, he did not accept a sheet unless it met two conditions; firstly, that it was present in written form with one of the *Sahabah*. And second, that it had been memorised by one of the *Sahabah*. When the written and memorised forms concurred with the sheet that was intended to be compiled, he accepted it. Otherwise he did not accept it. This is why he refrained from taking the end of sura *al-Bara'ah* until he found it in written form with Abu Khuzayma even though Zayd could himself recall and remember it. It has been narrated via Yahya b 'abd al-Rahman ibn Hatib that he said:

"قام عمر فقال من كان تلقى من رسول الله ﷺ شيئاً من القرآن فليأتِ به، وكانوا يكتبون ذلك في الصحف والألواح والعسب، قال وكان لا يقبل من أحد شيئاً حتى يشهد شاهدان. هذا يدل على أن زيداً كان لا يكتفي بمجرد وجدانه مكتوباً حتى يشهد من تلقاه سماعاً مع كون زيد كان يحفظه وكان يفعل ذلك مبالغة بالاحتياط"

"Umar (ra) stood up and said; whosoever has received anything of the Qur'ān from the Messenger of Allah ﷺ, let him bring it forth. They used to write that on sheets, tablets and palm risps. Ibn Hatib said: He (Zayd) did not accept anything from anyone until two witnesses had given testimony to it. This shows that Zayd was not satisfied by merely finding something in written form until the one who received it testified that he had heard it despite the fact that Zayd had memorised it already. He used to do this due to his extreme caution".

Thus, the (process) of compilation was nothing other than the bringing together of sheets that had already been written in the presence of the Messenger of Allah ﷺ into one book between two covers. The Qur'ān used to be written down on sheets but they were kept seperately. So Abu Bakr ﷺ assembled them in one place. That is why Abu Bakr's ﷺ order to compile the Qur'ān was not an order to write it down in one *mushaf*, rather it was an order to bring the sheets that had been written in the Messenger's ﷺ presence together in one place and it was an order to make certain; that they are in the same form as they were by supporting it with the testimonies of two witnesses that they had been written in front of the Messenger of Allah ﷺ and that they were in the possession of the *Sahabah* in written form and that they had memorised them. These sheets remained preserved in the possession of Abu Bakr ﷺ during his life and then with 'Umar ﷺ during his lifetime and them with Hafsa the daughter of 'Umar ﷺ, the mother of the Believers in accordance with 'Umar's ﷺ bequest. From this it becomes clear that Abu Bakr's ﷺ compilation of the Qur'ān constituted only the bringing together of sheets that had been written in the presence of Allah's Messenger ﷺ and it was not an actual compilation of the Qur'ān. And the memorisation was in regard to these sheets i.e the documents which were written in front of the Messnegr of Allah ﷺ and not the memorisation of the Qur'ān. The bringing together of such pieces and their preservation was not done except by way of cautiousness and expending all efforts in examining the memorisation of exactly what had been reported from the Messenger of Allah ﷺ. As for the Qur'ān itself, it was preserved in the hearts of the *Sahabah* and memorised in their memory. In memorization, dependence was put on a great multitude of *Sahabah* because those memorising it completely or partially were many.

This was regarding the compilation of Abu Bakr ﷺ. As for the compilation of 'Uthman ﷺ, in the third or (some say) the second year of his *Khilafah* i.e in the year 25 AH, Huzayfah ibn al-Yaman ﷺ approached 'Uthman ﷺ in Madinah at the time when the people of *al-Sham* and the people of Iraq were waging a war to conquer Armenia and Azerbaijan. Hudhayfa ﷺ was afraid of their

(people of *al-Sham* and Iraq) differences in the recitation of the Qur'ān. He saw that the people of *al-Sham* reciting according to the recitation of Ubay ibn Ka'b ﷺ, and they were coming with recitations the people of Iraq had not heard of. Also he saw the people of Iraq reciting according to the recitation of 'Abd Allah ibn Mas'ud ﷺ and so they brought recitaions the people of *al-Sham* had not heard of. Thus, they began to charge each other of disbelief. They both disagreed about a verse in sura *al-Baqarah*. One read:

﴿وأتموا الحج والعمرة لله﴾

"And perform properly the hajj and 'Umra for Allah (wa atimmul hajja wal 'umrata lillah)" [TMQ Baqarah: 196]

And the other read:

﴿وأتموا الحج والعمرة للبيت﴾

"And perform properly the hajj and 'Umra to the House (of Allah)(*wa atimmul hajja wal 'umrata lil bayt*)"

So Huzayfah ﷺ became angry and his eyes went red with rage. It has been narrated about Huzayfah ﷺ that he said:

"يقول أهل الكوفة قراءة ابن مسعود، ويقول أهل البصرة قراءة أبي موسى، والله لئن قدمت على أمير المؤمنين لآمرنه أن يجعلها قراءة واحدة، فركب إلى عثمان"

The people of Kufah adhere to the recitation of Ibn Mas'ud ﷺ and the people of Basra adhere to the recitation of Abu Musa ﷺ. By Allah ﷻ ! If I go to the *Ameer al Mumineen* (Leader of the Believers) I will order him to make it a single recitation. So he travelled to 'Uthman ﷺ.

It has been reported by Ibn Shihab that Anas ibn Malik narrated: Huzayfa bin al-Yaman ﷺ came to Uthman ﷺ at the time when the people of *al-Sham* and the people of Iraq were waging a war to conquer Armenia and Azerbaijan. Hudhayfa ﷺ was afraid of their (the people of *al-Sham* and Iraq) differences in the recitation of the Qur'ān, so he said to 'Uthman ﷺ,

"يا أمير المؤمنين أدرك هذه الأُمة قبل أن يختلفوا في الكتاب اختلاف اليهود والنصارى"

'O *Ameer Al Mumineen*! Save this nation before they differ about the Book (Qur'ān) as Jews and the Christians did before.'

So 'Uthman ﷺ sent a message to Hafsa ﷺ saying,

'Send us the manuscripts of the Qur'ān so that we may compile the Qur'ānic materials in perfect copies and return the manuscripts to you.'

Hafsa ﷺ sent it to 'Uthman ﷺ. 'Uthman ﷺ then ordered Zaid bin Thabit (ra), 'Abd Allah ibn al-Zubair, Said ibn al-'As and 'Abd al-Rahman ibn Harith ibn Hisham to rewrite the manuscripts in perfect copies. 'Uthman ﷺ said to the three Qurayshi men,

"إذا اختلفتم أنتم وزيد بن ثابت في شيء ما من القرآن فاكتبوه بلسان قريش فإنما نزل بلسانهم ففعلوا"

'Incase you disagree with Zaid ibn al-Thabit (ra) on any point in the Qur'ān, then write it in the dialect of Quraysh, the Qur'ān was revealed in their tongue.'

They did so, and when they had written many copies, 'Uthman ﷺ returned the original manuscripts to Hafsa ﷺ. 'Uthman ﷺ sent one copy of what they have copies to every Muslim province, and ordered that all the other Qur'ānic materials, whether written in fragmentary

manuscripts or whole copies, be burnt. The number of copies made was seven. The seven *mushaf's* were sent to Makkah, *al-Sham*, Yemen, Bahrain, Basra, Kufah, and one copy was kept in Madinah.

Therefore, 'Uthman's ﷺ action was not the compilation of the Qur'ān rather it constituted in only the copying and transcription of the same thing transcribed from the Messenger of Allah ﷺ as it was. He did not do anything other than make seven copies from the preserved copy in the possession of Hafsa ﷺ, the mother of the Believers and unite the people on this single script and forbade any other script or dictation other than it. The matter was settled on this copy as a script and dictation. It is the same script and dictation in which the sheets were written as was written in the presence of Allah's Messenger ﷺ when the revelation was revealed. And it is the same copy which Abu Bakr ﷺ had compiled. Then the Muslims began to make copies from this copy and not any other copy. Nothing remained except the *mushaf* of 'Uthman ﷺ in its script. When printers came about, the *mushaf* was printed from this copy with the same script and dictation.

The difference between the compilation of Abu Bakr ﷺ and that of 'Uthman ﷺ is that the compilation of Abu Bakr ﷺ took place due to the fear that something would be lost from the Qur'ān if any of its carriers (memorisers) were lost, the reason being that even though it was written on sheets but it had not been collected in one place like a single book. Thus, it was compiled in pages. The compilation of 'Uthman ﷺ took place because the differences increased regarding certain aspects of the Qur'ān which some read in their own dialects and this led some to accuse others of making an error. It was feared that the matter would escalate therefore those sheets were copied into one *mushaf*. The *mushaf* that we now have before us is the same *mushaf* revealed to the Messenger of Allah ﷺ and it is the same one which was written in the sheets which were written in the presence of the Messenger of Allah ﷺ. And it is the same *mushaf* that Abu Bakr ﷺ brought together when the sheets were compiled in one place. And it is the same one from which 'Uthman ﷺ transcribed the seven copies and ordered that the rest be burned. And it is the same Noble Qur'ān in its verse arrangement in relation to each other and their arrangment in their respectives Sura's, script and dictation. As for the copy dictated by the Messenger of Allah ﷺ from the revelation, whose sheets were compiled together and then copied it remained protected in the possession of Hafsa ﷺ, the mother of the believers until Marwan became the *Wali* (governor) of Madinah and he tore it up since it was not considered important because copies of the *mushaf* had spread everywhere. Ibn Shihab narrated that Salim ibn 'Abd Allah ibn 'Umar informed him:

"كان مروان يرسل إلى حفصة – يعني حين كان أمير المدينة من جهة معاوية – يسألها الصحف التي كتب منها القرآن فتأبى أن تعطيه، قال سالم فلما توفيت حفصة ورجعنا من دفنها أرسل مروان بالعزيمة إلى عبد الله بن عمر ليرسلن إليه تلك الصحف فأرسل بها إليه عبد الله بن عمر فأمر بها مروان فشققت، وقال إنما فعلت هذا لأني خشيت إن طال بالناس زمان أن يرتاب في شأن هذه الصحف مرتاب"

'That Marwan used to send for Hafsa ﷺ – i.e when he was the *amir* of Madinah via Mu'awiyya - asking her for the sheets from which the Qur'ān was written. She refused to give him it. Salim said: When Hafsa ﷺ died, while we were returning from her burial Marwan communicated his firm decision to 'Abd Allah ibn 'Umar that he send him that *mushaf*. So 'Abd Allah ibn 'Umar sent it to him. Marwan ordered it to be destroyed. He said: I did this because I feared that if it remained with people for a long time then people will have doubts regarding these sheets'.

The Qur'ānic Script

The Qur'ānic script is *tawqeefi* and it is not allowed to go against it. The evidence for this is that the Prophet ﷺ used to have scribes who wrote down the revelation and they actually wrote down the Qur'ān according to this script and the Messenger ﷺ approved of their writing. His ﷺ period came to an end with the Qu'ran in the same script in which no change or alteration occurred. Even though the *Sahaba* ﷺ wrote the Qur'ān, it has not been reported from anyone that he differed with this writing until 'Uthman ﷺ became the *Khalifah* and he transcribed the sheets that had been preserved with Hafsa ﷺ, the mother of the believers into *mushafs* according to that script, and he ordered that any remaining *Mushafs* be burned. What also came from the Quranic script that is different from the Arabic script in other books was the deviation from the Arabic script, and there could be no reason for this other than the form of the script being *Tawqeefi* and not conventional. For example it is not asked why the word *arRiba* in the Qur'ān is written with the letters *waw* and *alif* and not with the letters *ya* and *alif*. It is also not asked why there is an additional *alif* in the word *mia'a* but not in the word *fia'a*, why the additional *ya* in the words *bi'ayeekum* and the extra *alif* in the word *sa'aw* in Sura *al-Hajj* but absent from the word *sa'aw* in Sura *Saba*. Why is the *alif* added to the word *'ataw* but missing from *'ataw* in Sura al-Furqan. The *alif* is also added in the word *aamano* but omitted from the words *ba'ao*, *ja'ao* and *fa'ao* in the Quran. It is added in the word *ya'afo allaẕee* but absent from the word *ya'afo anhom* in Sura *an-Nisa*. Likewise it should not be said what is the sense of deletion of certain letters in some words but not in other similar words. This is like omitting the *alif* from the word *Qura'an* in Sura *Yusuf* and *aẕ-Zukhruf* but keeping it in other places, and keeping the *alif* after the *waw* of the word *samawat* in Sura *Fussilat* but omitting it in others. So why is the *alif* in the word *Al-Mi'aad* kept but omitted from the same word in Sura *al-Anfal* also why the *alif* in the word *sirajan* exists wherever this word is mentioned in the Qur'ān except in Sura *al-Furqan*. This difference in the writing of a single word between one Sura and another, even though there is no difference in the meaning clearly suggests that this depends on the hearing of the words and not on *Ijtihād* or their understanding. Anything that depends on the hearing as such is *i*. Likewise, a difference in the order of the Sura's (chapters) in the Qur'ān was reported, but there was no reported difference in the Quranic script from the script writing recorded in the presence of the Messenger of Allah ﷺ. Nor was there any difference reported in the order of the *Ayahs* (verses) in the Qur'ān, indicating that the Quranic script is *Tawqeefi*. This is clear from the Messenger of Allah's ﷺ acknowledgement of this writing, the consensus of the *Sahaba* ﷺ on this issue, and the existence of differences in the writing of a single word between one Sura and another despite the same wording and meaning. All this is clear evidence proving that the script in which the *Mushaf* has been written is *Tawqeefi* script, which must be adhered to without fail. Writing the *Mushaf* in any other script is prohibited. That the Messenger of Allah ﷺ was illiterate is not considered for he had scribes who could write and they described the script to him, not to forget that he could recognise the forms of letters as reported in some *ahadith*. His scribes also wrote letters on his behalf in normal Arabic script which he sent to the kings and leaders, this script being different from the script used to write the Qur'ān whilst it was being revealed. However the obligation to follow the *'Uthmani* script of the Qur'ān is specific only to the writing of the *Mushaf*. As for the writing of the Qur'ān by way of quotation or for teaching purposes or for any other reasons this is permissible because the approval of the Messenger ﷺ and consensus of the *Sahaba* is in concern to the *Mushaf* alone to the exclusion of everything else. There is no *Qiyas* on this matter because this is an issue of *Tawqeefi* without an *Illah* (reason).

The Miracle of the Qur'ān

The Qur'ān is the expression revealed to our master Muhammad ﷺ with what indicates its meanings. So the Qur'ān is the wording (*lafẓ*) and meaning (*ma'na*) together. The meaning alone is not called the Qur'ān and the wording cannot possibly have any meaning because the basis of composing expressions is to indicate a specific meaning. This is why the Qur'ān has been described as a description of its wording. Thus, Allah ﷻ said about it that it is in Arabic when He ﷻ said:

﴿إِنَّا أَنْزَلْنَاهُ قُرْآنًا عَرَبِيًّا﴾

"*Verily, We have sent it down as an Arabic Qur'ān*" [TMQ Yoosuf: 2]

And He ﷻ said:

﴿كِتَابٌ فُصِّلَتْ آيَاتُهُ قُرْآنًا عَرَبِيًّا﴾

"*A Book whereof the Verses are explained in detail;- A Qur'ān in Arabic*"

[TMQ Fussilat: 3]

And He ﷻ said:

﴿قُرْآنًا عَرَبِيًّا غَيْرَ ذِي عِوَجٍ﴾

"*An Arabic Qur'ān, without any crookedness*" [TMQ Zumar: 28]

﴿أَوْحَيْنَا إِلَيْكَ قُرْآنًا عَرَبِيًّا﴾

"*We have revealed unto you (O Muhammad (saw)) a Qur'ān in Arabic*"

[TMQ Shurā: 7]

﴿إِنَّا جَعَلْنَاهُ قُرْآنًا عَرَبِيًّا﴾

"*We verily, have made it a Qur'ān in Arabic*" [TMQ Zukhruf: 3]

Arabic is the depiction of the Qur'āns' words and not a description of its meanings, because its meanings are human meanings and not Arabic meanings. It is for the humankind and not for the Arabs only. As for His ﷻ saying:

﴿وَكَذَلِكَ أَنْزَلْنَاهُ حُكْمًا عَرَبِيًّا﴾

"*And thus have We sent it down (the Qur'ān) down to be an Arabic judgement (hukman 'arabiyyan)*"

[TMQ Ra'd: 37]

It means that it is a wisdom translated into the language of the Arabs and not that it is an Arabic wisdom. Here the word 'Arabic' is a description of wording and nothing else. It's (i.e The Qurans') wording are not to be described except in Arabic. It has no other designation other than Arabic, whether literally or metaphorically. That is why it is not correct to say that the writing of some of its meanings in another language is Qur'ān. The Arabic language of the Qur'ān is indisputable; its wordings are only in Arabic.

The Qur'ān is the miracle of the Prophet Muhammad ﷺ. Even though there are other miracles of the Prophet ﷺ which took place at his ﷺ hands different to that of the Qur'ān, as mentioned

in the Qur'ān itself and the *Sahih* works of the Sunnah, the he ﷺ did not challenge the people with, the challenge was only by the Qur'ān. That is why we say that the Qur'ān was the miracle of the Prophet Muhammad ﷺ with which his Messengership has been proven ever since the Qur'ān was revealed until the Day of Judgement. The Qur'ān rendered the Arabs incapable of bringing something like it, and it challenged them to bring something like it. He ﷻ said in His challenge to them:

﴿وَإِنْ كُنْتُمْ فِي رَيْبٍ مِمَّا نَزَّلْنَا عَلَى عَبْدِنَا فَأْتُوا بِسُورَةٍ مِنْ مِثْلِهِ وَادْعُوا شُهَدَاءَكُمْ مِنْ دُونِ اللَّهِ إِنْ كُنْتُمْ صَادِقِينَ﴾

"*And if you are in doubt concerning that which We have sent down to Our slave, then produce a sura of the like thereof and call your witnesses besides Allah, if you are truthful*" [TMQ Baqarah: 23]

And He ﷻ said:

﴿قُلْ فَأْتُوا بِسُورَةٍ مِثْلِهِ وَادْعُوا مَنِ اسْتَطَعْتُمْ مِنْ دُونِ اللَّهِ إِنْ كُنْتُمْ صَادِقِينَ﴾

"*Say: "Bring then a sura like unto it, and call upon whomsoever you can, besides Allah, if you are truthful*" [TMQ Yūnus: 38]

﴿أَمْ يَقُولُونَ افْتَرَاهُ قُلْ فَأْتُوا بِعَشْرِ سُوَرٍ مِثْلِهِ مُفْتَرَيَاتٍ وَادْعُوا مَنِ اسْتَطَعْتُمْ مِنْ دُونِ اللَّهِ إِنْ كُنْتُمْ صَادِقِينَ﴾

"*Or they say,"He (the Prophet) forged it (Qur'ān). Say: "Bring you then ten forged suras like unto it, and call whomsoever you can, other than Allah (to your help), if you speak the truth*" [TMQ Hūd: 13]

His ﷻ challenge to them reached a point where He ﷻ told them that they will not be able to bring something like it. He ﷻ said:

﴿قُلْ لَئِنِ اجْتَمَعَتِ الْإِنْسُ وَالْجِنُّ عَلَى أَنْ يَأْتُوا بِمِثْلِ هَذَا الْقُرْآنِ لَا يَأْتُونَ بِمِثْلِهِ وَلَوْ كَانَ بَعْضُهُمْ لِبَعْضٍ ظَهِيرًا﴾

"*Say: "If the mankind and the jinns were together to produce the like of this Qur'ān, they could not produce the like thereof, even if they helped one another*" [TMQ Isrā': 88]

So those challenged by the Qur'ān were unable to being something like the Qur'ān, their inibility to meet this challenge has been proven via recurrent reports (*mutawatir*) and history has no knowledge of and nor has anybody narrated a report that they (the Arabs) did bring something like it.

This challenge is not specific to those who were addressed; rather it is an open challenge until the day of Judgement because the consideration is for the generality of the wording (*lafẓ*) and not the specificity of the cause (*sabab*). So the Qur'ān challenges the whole of mankind since it was revealed and until the Day of Judgement to bring something like it that is why the Qur'ān is not a miracle for the Arabs who lived in the days of the Messenger ﷺ only, and nor is it only for the Arabs, rather it is a miracle for the whole of mankind, In this regard there is no difference between one tribe and another because his ﷻ address is to the whole of mankind. He ﷻ said:

﴿وَمَا أَرْسَلْنَاكَ إِلَّا كَافَّةً لِلنَّاسِ﴾

"*We have not sent you (O Muhammad (saw)), except to all of mankind*"

[TMQ Saba: 28]

And because the verses of the challenge are general (*'amma*), they say:

﴿وَادْعُوا مَنِ اسْتَطَعْتُمْ مِنْ دُونِ اللَّهِ﴾

"*And call upon whomsoever you can, besides Allah*" [TMQ Yūnus: 38]

It includes the whole of mankind, and because the Qur'ān informs us of the inibility of mankind and jinn, He ﷻ said:

﴿قُلْ لَئِنِ اجْتَمَعَتِ الْإِنْسُ وَالْجِنُّ عَلَى أَنْ يَأْتُوا بِمِثْلِ هَذَا الْقُرْآنِ لَا يَأْتُونَ بِمِثْلِهِ﴾

"*Say: "If the mankind and the jinns were together to produce the like of this Qur'ān, they could not produce the like thereof*" [TMQ Isrā': 88]

The Arab's inibility to produce something similar to this Qur'ān, and all the people's inibility to bring something similar to it is a matter intrinsic to the Qur'ān itself. The Arabs, when they would listen to the Qur'ān, they would approach it and they were taken by the magic of its eloquence, even al-Walid ibn al-Mughira, who had heard the Prophet ﷺ reciting the Qur'ān, said to the people:

والله ما منكم رجل أعرف بالأشعار مني ولا أعلم برجزه وقصيده مني والله ما يشبه الذي يقوله شيئاً من هذا، والله إن لقوله الذي يقوله لحلاوة وإن عليه لطلاوة، وانه لمورق أعلاه مغدق أسفله، وإنه ليعلو ولا يعلى عليه

'By Allah! There is not a man amongst you who is more well-versed in poetry than me, or has more knowledge of its poetic meter (*rajazihi*) or *qasida* (ancient Arabic poem with rigid tripartite structure) than me!. I swear! In the saying that he says there is a sweetness and beauty and in it there is grace and elagence. At it's highest is fresh green and leefy and at its lowest it is copiuos and abundant (with rain). Verily it is the highest and nothing is higher than it',

This despite the fact that al-Walid did not believe and persisted with his *kufr*. So the aspects of the miracle relate to the nature of the Qur'ān itself because those who have heard it and those who will hear it until the Day of Judgement are baffled and bewildered by the power of its eloquence by just simply listening to it, even if it is just one sentence:

﴿لِمَنِ الْمُلْكُ الْيَوْمَ﴾

"*And whose is the kingdom this day?*" [TMQ Fussilat: 16]

﴿وَالْأَرْضُ جَمِيعًا قَبْضَتُهُ يَوْمَ الْقِيَامَةِ﴾

"*On the Day of Resurrection the whole of the earth will be grasped by His Hand*"

[TMQ al-Zumar: 67]

﴿وَإِمَّا تَخَافَنَّ مِنْ قَوْمٍ خِيَانَةً فَانْبِذْ إِلَيْهِمْ عَلَى سَوَاءٍ﴾

"*If you fear treachery from any people throw back (their covenant) to them (so as to be) on equal terms*"
[TMQ al-Anfāl: 58]

﴿يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمْ إِنَّ زَلْزَلَةَ السَّاعَةِ شَيْءٌ عَظِيمٌ . يَوْمَ تَرَوْنَهَا تَذْهَلُ كُلُّ مُرْضِعَةٍ عَمَّا أَرْضَعَتْ وَتَضَعُ كُلُّ ذَاتِ حَمْلٍ حَمْلَهَا وَتَرَى النَّاسَ سُكَارَى وَمَا هُمْ بِسُكَارَى وَلَكِنَّ عَذَابَ اللَّهِ شَدِيدٌ﴾

"*O mankind! Fear your Lord and be dutiful to Him! Verily, the earthquake of the Hour (of Judgement) is a terrible thing. The Day you shall see it, every nursing mother will forget her nurseling, and every pregnant one will drop her load, and you shall see mankind as in a drunken state, yet they will not be drunken, but severe will be the Torment of Allah*" [TMQ al-Hajj: 1]

And thus an *ayah* or *ayāt* of the Qur'ān would be recited. Its words, style and purpose completely captivates and seizes the emotions of the man.

The miracle of the Qur'ān is clearest in its fluency, purity and eloquence of an astonishing level. This is indicated in the miracilous style of the Qur'ān. Its style has clarity (*Wuduh*), intensity (*Quwwah*) and beauty (*Jamal*) that man cannot match.

Style (*uslub*) is the arrangement of meanings in assorted words or it is the manner of expression to highlight meanings with lingusitic expressions, and the clarity of the style comes from the projection of the meanings intended to be expressed in the phrase with which they are expressed:

﴿وَقَالَ الَّذِينَ كَفَرُوا لَا تَسْمَعُوا لِهَذَا الْقُرْآنِ وَالْغَوْا فِيهِ لَعَلَّكُمْ تَغْلِبُونَ﴾

"*And those who disbelieve say: "Listen not to this Qur'ān, and make noise in the midst of its (recitation) that you may overcome*" [TMQ Fussilat: 26]

The intensity (*Quwwah*) of the style is represented by the choice of words compatible to the meaning they give. Thus, the delicate meaning is expressed with the delicate word, and the emotive meaning is expressed with the emotive word and the loathed meaning is expressed with the loathed word and so on and so forth...

﴿وَيُسْقَوْنَ فِيهَا كَأْسًا كَانَ مِزَاجُهَا زَنْجَبِيلًا . عَيْنًا فِيهَا تُسَمَّى سَلْسَبِيلًا﴾

"*And they will be given to drink there a cup (of wine) mixed with Zanjabil (ginger, etc), and a spring there, called Salsabil*" [TMQ ad-dahr: 17-18]

﴿إِنَّ جَهَنَّمَ كَانَتْ مِرْصَادًا . لِلطَّاغِينَ مَآبًا . لَابِثِينَ فِيهَا أَحْقَابًا﴾

"*Truly, Hell is a place of ambush, a dwelling place for the Taghun (Those who transgress the limits set by Allah). They will abide therein for ages*"

[TMQ An-Naba: 21-23]

﴿تِلْكَ إِذًا قِسْمَةٌ ضِيزَى﴾

"*That indeed is a division most unfair*" [TMQ Najm: 22]

﴿إِنَّ أَنْكَرَ الْأَصْوَاتِ لَصَوْتُ الْحَمِيرِ﴾

"*Verily, the harshest of all voices is the voice (braying) of the ass*"

[TMQ Luqmaan: 19]

As for the beauty of the *uslub* (style) this is to be found in the choice of the most pure and best phrases fitting with the meaning they conveyed and with the words and meanings, which accompany them in the expressions:

﴿رُبَمَا يَوَدُّ الَّذِينَ كَفَرُوا لَوْ كَانُوا مُسْلِمِينَ ۞ ذَرْهُمْ يَأْكُلُوا وَيَتَمَتَّعُوا وَيُلْهِهِمُ الْأَمَلُ فَسَوْفَ يَعْلَمُونَ﴾

"*Perhaps (often) will those who disbelieve wish that they were Muslims. Leave them to eat and enjoy, and let them be preoccupied with (false) hope. They will come to know*"

[TMQ Hijr : 2-3]

The one who examines the Qur'ān will find a lofty elevation in which the style of the Qur'ān is characterised in terms of its clarity, intensity and beauty. Listen to this clarity, intensity and beauty:

﴿وَمِنَ النَّاسِ مَنْ يُجَادِلُ فِي اللَّهِ بِغَيْرِ عِلْمٍ وَلَا هُدًى وَلَا كِتَابٍ مُنِيرٍ . ثَانِيَ عِطْفِهِ لِيُضِلَّ عَنْ سَبِيلِ اللَّهِ﴾

"*And among men is he who disputes about Allah, without knowledge or guidance, or a Book giving light (from Allah,- Bending his neck in pride, and leading (others) too (far) astray from the Path of Allah*" [TMQ al-Hajj: 8-9]

﴿هَذَانِ خَصْمَانِ اخْتَصَمُوا فِي رَبِّهِمْ فَالَّذِينَ كَفَرُوا قُطِّعَتْ لَهُمْ ثِيَابٌ مِنْ نَارٍ يُصَبُّ مِنْ فَوْقِ رُءُوسِهِمُ الْحَمِيمُ ۞ يُصْهَرُ بِهِ مَا فِي بُطُونِهِمْ وَالْجُلُودُ ۞ وَلَهُمْ مَقَامِعُ مِنْ حَدِيدٍ ۞ كُلَّمَا أَرَادُوا أَنْ يَخْرُجُوا مِنْهَا مِنْ غَمٍّ أُعِيدُوا فِيهَا وَذُوقُوا عَذَابَ الْحَرِيقِ﴾

"*These two opponents (believers and disbelievers) dispute with each other about their Lord; then as for those who disbelieve, garments of fire will be cut out for them, boiling water will be poured down over their heads. With it will melt or vanish away what is within their bellies, as well as their skins. And for them are hooked rods of iron (to punish them). Every time they seek to get away therefrom, from anguish, they will be driven back therein, and (it will be) said to them: "Taste the torment of burning*"

[TMQ al-Hajj: 19-22]

﴿يَا أَيُّهَا النَّاسُ ضُرِبَ مَثَلٌ فَاسْتَمِعُوا لَهُ إِنَّ الَّذِينَ تَدْعُونَ مِنْ دُونِ اللَّهِ لَنْ يَخْلُقُوا ذُبَابًا وَلَوِ اجْتَمَعُوا لَهُ وَإِنْ يَسْلُبْهُمُ الذُّبَابُ شَيْئًا لَا يَسْتَنْقِذُوهُ مِنْهُ ضَعُفَ الطَّالِبُ وَالْمَطْلُوبُ﴾

"*O mankind! A similitude has been coined, so listen to it (carefully): Verily! Those on whom you call besides Allah, cannot create (even) a fly, even though they combine together for the purpose. And if the fly snatched away a thing from them, they wouldhave no power to release it from the fly. So weak are (both) the seeker and the sought*"
[TMQ al-Hajj: 73]

The Qur'ān is a special genre (*tiraz*) of expression. Its arrangement of words (*nazm*) does not follow the standard method of metrical and rythmic poetry (*As-shi'r al-mawzun al-muqaffa*), nor is it according to the method of free prose (*An-nathm al-mursal*), nor is it on the method of *an-nathr al-muzdawij* (has dual resemblance to rhymed and free prose) or *an-nathr al-masjooh* (rhymed prose). It is a unique style, which the Arabs had never come across before.

The Arabs, due to the extraordinary effect that the Qur'ān had on them did not know from what aspect did the Qur'ān reach this wondrous nature (*i'jaz*). So they started to say, as has been mentioned in the Qur'ān:

﴿إِنَّ هَذَا لَسِحْرٌ مُبِينٌ﴾

"*This is indeed clear magic*" [TMQ Yūnus: 76]

And they began to say that these were the words of a poet and that he is a soothsayer. That is why Allah ﷻ replied to them when he ﷻ said:

﴿وَمَا هُوَ بِقَوْلِ شَاعِرٍ قَلِيلًا مَا تُؤْمِنُونَ ۞ وَلَا بِقَوْلِ كَاهِنٍ قَلِيلًا مَا تَذَكَّرُونَ﴾

"*It is not the word of a poet, little is that you belive! Nor is it the word of a soothsayer, little is that you remember!*" [TMQ Haaqqah: 41-42]

The fact that the Qur'ān is of a special genre and a unique structure is clear in every respect. So you will find the Qur'ān saying:

﴿وَيُخْزِهِمْ وَيَنْصُرْكُمْ عَلَيْهِمْ وَيَشْفِ صُدُورَ قَوْمٍ مُؤْمِنِينَ﴾

"(Allah) will disgrace them and give you victory over them and heal the breasts of a believing people" [TMQ Tawba: 14]

And it says:

﴿لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ﴾

"*By no means shall you attain peity (al-birr) unless you spend (in Allah's Cause) of that which you love*" [TMQ Imrān: 92]

This is prose that is close to poetry, for if the two verses were arranged then they would be two verses of poetry in the following manner:

ويخـــزهم وينصـــركم عليـــهم ويشـــف صـــدور قـــوم مؤمنـــين

لـن تنـالوا البر حتى تنفقوا مما تحبون

Wayukhzihim wayansurkum alaihim wayashfi sodoora qawmin mu'mineen.

Lan tanalo el-birra hatta tunfiqo mimma tohibboon.

However these verses are not peotry, but rather a type of prose which is unique. When you find the Qur'ān saying this type of prose:

﴿وَالسَّمَاءِ وَالطَّارِقِ ۞ وَمَا أَدْرَاكَ مَا الطَّارِقُ ۞ النَّجْمُ الثَّاقِبُ ۞ إِنْ كُلُّ نَفْسٍ لَمَّا عَلَيْهَا حَافِظٌ ۞ فَلْيَنْظُرِ الْإِنْسَانُ مِمَّ خُلِقَ ۞ خُلِقَ مِنْ مَاءٍ دَافِقٍ ۞ يَخْرُجُ مِنْ بَيْنِ الصُّلْبِ وَالتَّرَائِبِ ﴾

"*By the heaven, and at-Tariq (the night-comer, that is, the bright star); and what will make you to know what at-Tariq (night-comer) is? (It is) the star of piercing brightness; There is no human being but has a protector over him (or her). So let man see from what he is created! He is created from a water gushing forth - . Proceeding from between the back-bone and the ribs*"

[TMQ Taariq: 1-7]

Which is prose, and far from poetry in every respect. You also find it saying:

﴿وَمَا أَرْسَلْنَا مِنْ رَسُولٍ إِلَّا لِيُطَاعَ بِإِذْنِ اللَّهِ وَلَوْ أَنَّهُمْ إِذْ ظَلَمُوا أَنْفُسَهُمْ جَاءُوكَ فَاسْتَغْفَرُوا اللَّهَ وَاسْتَغْفَرَ لَهُمُ الرَّسُولُ لَوَجَدُوا اللَّهَ تَوَّابًا رَحِيمًا﴾

"*We sent no Messenger, but to be obeyed by Allah's leave If they (hypocrites), when they had been unjust to themselves, had come to you (Muhammad (saw)) and begged Allah's forgiveness, and the Messenger had begged forgiveness for them: indeed, they would have found Allah All-Forgiving, Most Merciful*" [TMQ Nisā': 64]

﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾

"*But no, by your Lord, they can have no imān, until they make you the judge in all disputes between them, and find in themselves no resistance against your decisions, and accept them with full submission*" [TMQ Nisā': 65]

It also lengthens the passage and style in prose in its saying:

﴿وَالشَّمْسِ وَضُحَاهَا ۞ وَالْقَمَرِ إِذَا تَلَاهَا ۞ وَالنَّهَارِ إِذَا جَلَّاهَا ۞ وَاللَّيْلِ إِذَا يَغْشَاهَا﴾

"*And by the sun and its brightness; And by the moon as it follows the sun; And by the day as it shows up (the sun's) brightness; And by the night as it conceals it (the sun)"* [TMQ Shams: 1-4]

It also shortens the passage and breath (*nafas*) in prose, even though both are examples of prose in the form of passage. At times you will find it creative in free prose, thus it will be free in speech. So it says:

﴿يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ الَّذِينَ قَالُوا آمَنَّا بِأَفْوَاهِهِمْ وَلَمْ تُؤْمِنْ قُلُوبُهُمْ وَمِنَ الَّذِينَ هَادُوا سَمَّاعُونَ لِلْكَذِبِ سَمَّاعُونَ لِقَوْمٍ آخَرِينَ لَمْ يَأْتُوكَ يُحَرِّفُونَ الْكَلِمَ مِنْ بَعْدِ مَوَاضِعِهِ يَقُولُونَ إِنْ أُوتِيتُمْ هَذَا فَخُذُوهُ وَإِنْ لَمْ تُؤْتَوْهُ فَاحْذَرُوا وَمَنْ يُرِدِ اللَّهُ فِتْنَتَهُ فَلَنْ تَمْلِكَ لَهُ مِنَ اللَّهِ شَيْئًا أُولَئِكَ الَّذِينَ لَمْ يُرِدِ اللَّهُ أَنْ يُطَهِّرَ قُلُوبَهُمْ لَهُمْ فِي الدُّنْيَا خِزْيٌ وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ﴾

"*O Messenger! Let not those who hurry to fall into disbelief grieve you, of such who say: "We belive" with their mouths but their hearts have no faith. And of the Jews are men who listen much and eagerly to lies - listen to others who have not come to you. They change the words from their places; they say,"If you are given thsi, take it, but if you are not given thsi, then beware!" And whomsoever Allah wants put in fitna (error), you can do nothing for him agisnt Allah. Those are the ones whose hearts Allah does not want to purify; for them there is a disgrace in this world, and in the Hereafter a great torment*"

[TMQ Mā'idah: 41]

You will find it creative in rhymed prose, thus it will speak in rhymed prose. So it says:

﴿يَا أَيُّهَا الْمُدَّثِّرُ ۞ قُمْ فَأَنْذِرْ ۞ وَرَبَّكَ فَكَبِّرْ ۞ وَثِيَابَكَ فَطَهِّرْ ۞ وَالرُّجْزَ فَاهْجُرْ ۞وَلَا تَمْنُنْ تَسْتَكْثِرُ ۞ وَلِرَبِّكَ فَاصْبِرْ﴾

"*O you (Muhammad (saw)) enveloped (in garments)! Arise and warn! And your Lord (Allah) magnify! And your garments purify! And keep away from ar-rujz (the idols)! And give not a thing in oreder to have more (or consider not your deeds of Allah's obedienceas a favour to Allah). And be patient for the sake of your Lord*"

[TMQ Muddathir: 1-7]

You will find it superior in *izdiwaj* (prose with successive but different rhyms) so it says:

﴿أَلْهَاكُمُ التَّكَاثُرُ ۞ حَتَّى زُرْتُمُ الْمَقَابِرَ ۞ كَلَّا سَوْفَ تَعْلَمُونَ ۞ ثُمَّ كَلَّا سَوْفَ تَعْلَمُونَ ۞ كَلَّا لَوْ تَعْلَمُونَ عِلْمَ الْيَقِينِ ۞ لَتَرَوُنَّ الْجَحِيمَ﴾

"*The mutual rivalry for piling up of wordly things diverts you. Until you visit the graves. Nay! You shall come to know! Again, Nay! You shall come to know! Nay! If you knew with a sure knowledge. Verily, you shall see blazing fire!*"

[TMQ Takaathur: 1-6]

You will find it lengthening the *izdiwaj*, so the Qur'ān states:

﴿قُتِلَ الْإِنْسَانُ مَا أَكْفَرَهُ ۞ مِنْ أَيِّ شَيْءٍ خَلَقَهُ ۞ مِنْ نُطْفَةٍ خَلَقَهُ فَقَدَّرَهُ ۞ ثُمَّ السَّبِيلَ يَسَّرَهُ ۞ ثُمَّ أَمَاتَهُ فَأَقْبَرَهُ ۞ ثُمَّ إِذَا شَاءَ أَنْشَرَهُ ۞ كَلَّا لَمَّا يَقْضِ مَا أَمَرَهُ ۞ فَلْيَنْظُرِ الْإِنْسَانُ إِلَى طَعَامِهِ ۞ أَنَّا صَبَبْنَا الْمَاءَ صَبًّا ۞ ثُمَّ شَقَقْنَا الْأَرْضَ شَقًّا ۞ فَأَنْبَتْنَا فِيهَا حَبًّا ۞ وَعِنَبًا وَقَضْبًا ۞ وَزَيْتُونًا وَنَخْلًا ۞ وَحَدَائِقَ غُلْبًا ۞ وَفَاكِهَةً وَأَبًّا﴾

"*Be cursed (the disbelieving) man! How ungrateful he is! From what thing did He create him? From nutfa (semen) He craeted them, and then set him due proportion; Then He makes the Path easy for him; Then He causes him to die, and puts him in a grave; Then, when it is His Will, He will resurrect him (again). Nay, but (man) has not done what He commanded him. Then let man look at his food. That We pour forth water in abundance, and We split he earth in clefts, and We cause therin the grain to grow. And grapes and clover plants*

(green fodder for the cattle). And olives and date-palms. And gardens, dense with many trees. And fruits and Abba (herbage etc)"

[TMQ Abasa: 17-31]

Whilst proceeding on a certain rhyme it will move to another type of rhyme prose. So while prooceeding in rhyme in the following:

﴿فَإِذَا نُقِرَ فِي النَّاقُورِ ۞ فَذَلِكَ يَوْمَئِذٍ يَوْمٌ عَسِيرٌ ۞ عَلَى الْكَافِرِينَ غَيْرُ يَسِيرٍ﴾

"*Then, when the Trumpet is sounded; Truly, that Day will be Hard Day. Fra from easy for the disbelievers*"
[TMQ Muddathir: 8-10]

It will abandon it in the verse immediately after it, so it says:

﴿ذَرْنِي وَمَنْ خَلَقْتُ وَحِيدًا ۞ وَجَعَلْتُ لَهُ مَالًا مَمْدُودًا ۞ وَبَنِينَ شُهُودًا ۞ وَمَهَّدْتُ لَهُ تَمْهِيدًا ۞ ثُمَّ يَطْمَعُ أَنْ أَزِيدَ ۞ كَلَّا إِنَّهُ كَانَ لِآيَاتِنَا عَنِيدًا ۞ سَأُرْهِقُهُ صَعُودًا﴾

"*Leave Me Alone (to deal) with whom I created Alone (that is, al-walid ibn al-Mughira al-Makhzumi)! And then granted him resources in abundance. And children to be by his side! And made life smooth and comfortable for him! After all that he desires - that I should give more; Nay! Verily, he has been stubborn and opposing Our Ayaat (signs/proofs). I shall oblige him to face a severe torment!*"

[TMQ Muddathir: 11-17]

Then it will move from this rhyme to another type in the verse that immediatley follows it, so it says:

﴿إِنَّهُ فَكَّرَ وَقَدَّرَ ۞ فَقُتِلَ كَيْفَ قَدَّرَ ۞ ثُمَّ قُتِلَ كَيْفَ قَدَّرَ ۞ ثُمَّ نَظَرَ ۞ ثُمَّ عَبَسَ وَبَسَرَ ۞ ثُمَّ أَدْبَرَ وَاسْتَكْبَرَ﴾

"*Verily, he thought and plotted; So let him be cursed, how he plotted! Then he thought;Then he frowned and he looked in bad tempered way; Then he turned back and he was proud*" [TMQ Muddathir: 18-23]

In this manner examine the whole Qur'ān, you will not find it adhering to anything from the well-known way of the Arabs in terms of poetry or prose in their various types, and nor does it resemble any saying from the sayings of the Arabs or any other people.

Then you will find its style is clear, intense and beautiful which renders meanings in a manner of expression which depicts the meanings in the most accurate of depictions. When the meaning is delicate you find it saying:

﴿إِنَّ لِلْمُتَّقِينَ مَفَازًا ۞ حَدَائِقَ وَأَعْنَابًا ۞ وَكَوَاعِبَ أَتْرَابًا۞ وَكَأْسًا دِهَاقًا﴾

"*Verily, for the Muttaqun (Godfearing), there will be a success (Paradise); Gardens and grapeyards. And maidens of equal age. And a full cup (of wine)*"

[TMQ Naba: 31-34]

Using delicate words and soft, flowing sentences.

And when the meaning is forceful, one will find it saying:

﴿إِنَّ جَهَنَّمَ كَانَتْ مِرْصَادًا ۞ لِلطَّاغِينَ مَآبًا ۞ لَابِثِينَ فِيهَا أَحْقَابًا ۞ لَا يَذُوقُونَ فِيهَا بَرْدًا وَلَا شَرَابًا ۞ إِلَّا حَمِيمًا وَغَسَّاقًا ۞ جَزَاءً وِفَاقًا﴾

"*Truly, Hell is a place of ambush, a dwelling place for the Taghun (Those who transgress the limits set by Allah). They will abide therein for age, nothing cool shall they taste therin, nor any drink. Except boiling water, and dirty wound discharges. An exact recompense (according to their evil crimes*)"

[TMQ Naba: 21-26]

Thus using grand words and strong sentences. And when the meaning is pleasant it uses pleasant words, so it says:

﴿وَرَفَعَ أَبَوَيْهِ عَلَى الْعَرْشِ وَخَرُّوا لَهُ سُجَّدًا﴾

"*And he raised his parents to the throne and they fell down before him prostrate*"

[TMQ Yoosuf: 100]

And when the meaning is objectionable it comes with the appropriate word for this meaning, so it says:

﴿أَلَكُمُ الذَّكَرُ وَلَهُ الْأُنْثَى ۞ تِلْكَ إِذًا قِسْمَةٌ ضِيزَى﴾

"*Is it for you the males and for Him the females? That indeed is a division most unfair*" [TMQ Najm: 22]

And it says:

﴿وَاغْضُضْ مِنْ صَوْتِكَ إِنَّ أَنْكَرَ الْأَصْوَاتِ لَصَوْتُ الْحَمِيرِ﴾

"*And lower your voice. Verily, the harshest of all voices is the voice (braying) of the ass*" [TMQ Luqman: 19]

The rendering of meaning had been accompanied with this manner of expression which depicts the meanings, giving attention to words which have the rhyme that moves the soul when conceiving the meanings and comprehending them. That is why it evokes in the listener who comprehends, due to the depth of its meanings and the eloquence of its expression a deep sense of awe humility until some of the eloquent Arab thinkers almost prostrated before it despite their disbelief and obstinacy.

Then, indeed the one who scrutinises the words of the Qur'ān and its sentences will find that the Qur'ān gives attention to, when placing letters together, the sounds that come out from their places of articulation. So the letters close to each other in articulation are placed close to each other in a word or sentence. And when there is a gap betwen the points of articulation, they are separated with a letter which eliminates the strangeness of the transition. And at the same time it makes a letter pleasant in articulation and light on the ears to be repeated like the chorus in music. It does not say '*kal ba'iq a-mudfiq*' but '*kasayyib*'. Nor does it say '*al-hu'khu*" but '*sundusu khudrin*'. And when it is necessary to use letters which are placed distanced from each other in a meaning which befits it and nothing else gives that meaning like the word *'deeẓa'*, there is no point in using the word *'ẓalima'* or '*ja'ira*' in its place even though the meaning is one. In additon to this precision in usage, the letter which is in chorus is clearly found in verses with some frequency. The Verse of the Throne (*ayatul kursiyy*) for example has the letter *lam* repeated in it 23 times in a pleasant manner which has an impact on the hearing such that it makes people prick up their ears and want to hear more.

In this manner, you will find that the Qur'ān is a special genre. And you will find it reveals all of its meanings in the expression that befits it, in the words around it and the meanings with it. You will not find that missing in any of its *ayat*. Its miraculousness (*i'jaẓ*) is clear in its style in terms of being a special genre of speech which does not resemble any speech of human beings or vice versa, and in terms of the application of meanings in words and sentences which befit them and in terms of the effect/impression of the words on the hearing of the one who comprehends its eloquence and looks deeply into its meanings, so he becomes humble to the point of almost

prostating to it. And the effect it has on the hearing of the one who does not comprehend its eloquence, the ring and sound of these words captivate him and hold him spellbound in an incapacitating manner to which the listener humbles himself by force even though he may not understand its meanings. Therefore, it is a miracle which will remain a miracle until the Final Hour.

The Sunnah

The word Sunnah and *hadīth* have the same meaning. The meaning of the word Sunnah is what has been reported from the Messenger of Allah ﷺ of his saying, action and consent. Whatever has been reported about the *Sahabah* ﷺ is also considered part of the Sunnah because they used to live with the Prophet ﷺ, listen to his ﷺ saying, witness his ﷺ actions and narrate what they saw and heard. The *hadīth* is considered a *Sharī'ah* text because Allah ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*Whatsoever the Messenger (saw) gives you, take it, and whatsoever he forbids you, abstain from it*"
[TMQ Al-Hashr: 7]

And He ﷻ said:

﴿وَمَا يَنْطِقُ عَنِ الْهَوَى ۞ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَى ۞ عَلَّمَهُ شَدِيدُ الْقُوَى﴾

"*Nor does he speak of his own desire. It is only a revelation that is inspired"*

[TMQ Najm: 3-4]

Many *ayat* of the Qur'ān have come as *mujmal* (ambivalent) for which the *hadīth* has provided the details. For example, the *ayat* related to prayer came as *mujmal* (ambivalent), but it is the actions of the Prophet ﷺ that clarifies the time and manner of prayer. In this way, many of the *ahkām* in the Qur'ān were revealed as *mujmal* (ambivalent) and the Messenger ﷺ used to explain them. He ﷻ said:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"*And We have sent down unto you (O Muhammad (saw)) the Reminder so that you may explain to people what has been sent down to them*"

[TMQ al-Nahl: 44]

The *Sahabah* ﷺ were the ones who heard the sayings of the Prophet ﷺ and they saw his ﷺ actions and condition. When they came across a problem in understanding an *ayah* or they disagreed about its *tafsīr* or a ruling from it, they would refer to the prophetic *ahadīth* for clarification. In the beginning, the Muslims used to rely on memory and accurate transmission without looking at what they have written, by memorising this knowledge like their memorisation of the Book of Allah ﷻ. With time Islam spread and the lands grew, and the *Sahabah* ﷺ spread across the regions and most of them died and the accuracy in transmission diminished, it therefore became necessary to document the *hadīth* and preserve them in writing.

The era of compiling the *hadīth* goes back to the period of the *Sahabah*. There were a number of persons amongst them who used to write and narrate from what they had written. It has been narrated about Abu Hurairah ﷺ that he said:

"ما من أحد من أصحاب النبي ﷺ أكثر حديثاً منّي إلا ما كان من عبد الله بن عمر فإنه كان يكتب ولا أكتب
"

"From the companions of the Prophet ﷺ no one narrated more ahadīth than me except Abd Allah ibn Umar ﷺ. But he used to write them down, I did not".

However, those *Sahabah* who did write down the *ahadīth* were few in number. Most of the *Sahabah* used to memorise thee *ahadith* by heart since they were forbidden from writing the *hadīth* in the beginning of Islam. Muslim reported in his *Sahih* on the authority of Abu Sa'eed al-Khudri ﷺ that he said that the Messenger of Allah ﷺ said:

﴿لا تكتبوا عني ومن كتب عني غير القرآن فليمحه وحدثوا عني ولا حرج﴾

"Do not write down anything from me. Whosoever writes down anything from me other than Qur'ān, let him erase it. Narrate about me, there is no objection"

﴿من كذب عليّ متعمداً فليتبوأ مقعده من النار﴾

"Whosoever deliberately lies about me, let him reserve his place in the hell-fire" [Reported by Bukhari & Muslim]

This is the reason why the *Sahabah* ﷺ desisted from writing down *ahadīth*, and they were content just to rely on memorisation and paying attention. The *Sahabah* paid careful attention to learning the *hadīth*. It has been established that many *Sahabah* ﷺ refrained from accepting numerous reports. Ibn Shihab narrated from Qabisa that her grandmother came to Abu Bakr ﷺ, asking about her rights in inheritance. He said: I did not find anything mentioned in the Qur'ān for you and I do not know that the Messenger of Allah ﷺ mentioned anything for you, then he asked the people. al-Mughira stood up and said:

﴿كان رسول الله ﷺ يعطيها السدس﴾

"The Messenger of Allah ﷺ used to give her a sixth"

He ﷺ said: Do you have anyone who can corroborate this? So Muhammad ibn Maslama ﷺ bore witness to the same thing so Abu Bakr ﷺ implemented this ruling for her.

Al-Jariri narrated from Abu Nadra who narrated from Abu Sa'eed that Abu Musa greeted Umar with the *Salam* three times from behind the door but he was not given permission to enter. So he returned. Umar ﷺ sent someone for him and asked him why did you return back? He ﷺ said: I heard the Messenger of Allah ﷺ say:

﴿إذا سلم أحدكم ثلاثاً فلم يُجب فليرجع﴾

"When one of you gives salam three times and you are not answered, then let him turn back" [Reported by Ahmad]

'Umar replied: "You must bring me an evidence about this matter otherwise I will punish you." Abu Musa came to us while we were sitting down and his face was sweaty. We said: "What is the matter with you?" So he informed us and asked: "Did anyone of you hear this *Hadith*?" We replied: "Yes, all of us have heard this (*Hadith*)." So we sent a man from amongst us till he came to Umar and told him. Ali ﷺ said: "If I heard a *Hadith* from the Prophet of Allah ﷺ which Allah ﷻ benefited me with it, and if anyone talked to me about it, I would ask for an oath from him, and if he gave it to me then I would trust him."

From this we see the care of the *Sahabah* ﷺ in the narration of *hadīth* and the extreme care they excercised in accepting reports. It has even been narrated that Umar ﷺ did not give much attention to the narration of Fatimah ibn Qays (which states) that there is no maintenance (*nafaqa*) or lodging for the woman who has been irrevocably divorced with three pronouncements. He ﷺ said: We shall not abandon the Book of our Lord or the Sunnah of our Prophet ﷺ for the speech of a woman for we do not know if she has memorised it or forgotten it. This does not mean (that Umar left her *hadīth* because) she is a woman, rather what it means is

that we will not leave the Book and Sunnah for the speech of someone for whom it is not known whether she has memorised it or forgotten it. The *illah* (reason) is whether she memorised it or not, and not because she was a woman.

When the *fitna* (civil war) ensued after the murder of Uthman ﷺ and Muslims started to disagree among themselves and different groups were formed as a result. The attention of every group was devoted to deducing evidences and reporting *ahadīth* which supported their claims. Some of them when they needed a *hadīth* to support a saying or establish proof for something, they would themselves fabricate a *hadīth*. There was a proliferation of such fabrications during this period of disorder. After the *fitna* (civil war) had abated the Muslims embarked upon checking the *ahadīth*, they found that those fabrications had become widespread. So they worked hard to separate the fabrications from the sound (*Sahih*) *ahadīth*.

And when the age of the *Sahabah* ﷺ had come to an end and the *Tabi'un* came after them they followed on the same method and they followed the noble *Sahabah* ﷺ in their attention to the *hadīth* and its spread through the medium of narration until the reign of the just *Khalifah* 'Umar ibn 'Abd al-'Aziz in the beginning of the second *Hijri* century, He ordered the *hadīth* to be written down. Bukhari said in his *Sahih* in the *kitab al-'ilm* (The Book of Knowledge) that 'Umar ibn 'Abd al-'Aziz wrote to Abu Bakr ibn Hazm: 'Look for what you can find of the *ahadīth* of the Messenger of Allah ﷺ and write them down. I fear for the loss of the lessons of knowledge and the dwindling numbers of the scholars. Do not accept anything other than the *hadīth* of the Prophet ﷺ so that you may dissiminate knowledge and sit down to teach those who do not have knowldge until they have knowldge. Verily, knowledge does not perish unless it is kept secret'. Likewise, he wrote to his *'Amils* (district governors) in Major towns to pursue the *ahadīth*.

The first one to record the *hadīth* in accordance with the order of 'Umar ibn 'Abd al-'Aziz was Muhammad ibn Muslim ibn 'Ubayd Allah ibn 'Abd Allah ibn Shihab az-Zuhri. He learned knowledge from a group of young *Sahabah* and senior *Tabi'een*. Then the recording of *hadīth* became widespread in the generation which followed the generation of az-Zuhri. From among those who collected the *hadīth* they were Ibn Jurayj in Makkah, Malik in Madinah, Hammad ibn Salama in Basra, Sufyan al-Thawri in Kufa, Al-Awza'i in the al-Sham region and others in the various Islamic lands. The *hadīth* collections of those people were mixed with the sayings of *Sahabah* ﷺ and the *fatwas* (legal verdicts) of the *Tabi'een*. All this was in the second century A.H (After *Hijra*). Then the transmitters of *hadīth* began to write their own compilations and compositions in the beginning of the third century. Compilation of *hadīth* continued consecutively until the appearance of Imam Bukhari. He was distinguished in the science of *hadīth* and he wrote his renowned book ; *Sahih* al-Bukhari in which he quoted those *hadīth* which he perceived to be authentic. He was followed in his tracks by Muslim ibn al-Hajjaj who was a student of Bukhari. He wrote his famous book: *Sahih* Muslim. Those two works are designated as the '*Sahihayn*' (the two *Sahih* works).

When the imams of *hadīth* began to record the *hadīth*, they recorded them in the manner in which they found them. They did not omit anything that reached them in the majority of cases except what was known to be fabricated and concocted. They compiled them with their *isnād*s as they found them, and then they rigorously investigated the status of the transmitters until they were certain of whose narration could be accepted, and whose narration is to be rejected and whose narration they could notaccept. They followed that up with a study of the report and the status of the narration because everything that is narrated by a transmitter who is characterised with trustworthiness and accuracy cannot be taken because he is susceptible to forgetfulness or error.

H*adīth* was a broad topic which encompassed all the Islamic disciplines. It included *tafsīr* (Qur'ānic exegesis), legislation and the *Sīrah*. The *hadīth* transmitter would narrate a *hadīth* which would include the *tafsīr* of an *ayah* of the Noble Qur'ān, or a *hadīth* which contained a ruling on an incident, or he would narrate a *hadīth* which would mention one of the battles, and so on and

so forth. When the Muslims began to collect the *ahadīth* and the *hadīth* came to be put down in writing, the compilation of *hadīth* began in the various cities of the State. The compilation of *hadīth* singled out the *hadīth* of the Messenger ﷺ from everything other than it. Due to this the *hadīth* became independent from the *fiqh* just as it became independent from the *tafsīr*. This was at the end of the first two hundred years. Afterwards the movement for the collection of *hadīth* was active and the compilers separated the sound *hadīth* from the weak ones, describing the men (transmitters) and passing a ruling whether in favour or against them.

The Sunnah is a *Sharī'ah* Evidence like the Qur'ān

The Sunnah is a *Shari'ah* Evidence (*dalīl Shar'i*) like the Qur'ān and it is a revelation from Allah ﷻ. Confining to the Qur'ān and leaving the Sunnah is *kufr buwah* (manifest disbelief) and takes those who support this opinion outside the fold of Islam. As for the Sunnah being revelation from Allah ﷻ, it is explicit from the Noble Qur'ān. He ﷻ said:

﴿قُلْ إِنَّمَا أُنْذِرُكُمْ بِالْوَحْيِ﴾

"*Say: "I warn you only by the revelation*" [TMQ Anbiyaa: 45]

And He ﷻ said:

﴿إِنْ يُوحَى إِلَيَّ إِلَّا أَنَّمَا أَنَا نَذِيرٌ مُبِينٌ﴾

"*Only this has been inspired to me, that I am a plain warner*" [TMQ Sād: 70]

And He ﷻ said:

﴿إِنْ أَتَّبِعُ إِلَّا مَا يُوحَى إِلَيَّ﴾

"*I only follow that which is revealed to me*" [TMQ Ahqaaf: 9]

And He ﷻ said:

﴿قُلْ إِنَّمَا أَتَّبِعُ مَا يُوحَى إِلَيَّ مِنْ رَبِّي﴾

"*I but follow what is revealed to me from my Lord*" [TMQ 'Arāf: 203]

These verses are definite in authenticity and definite in their meaning in restricting what the Messenger ﷺ has brought, warned people of, that it is divine revelation which is not open to any interpretation. Thus, the Sunnah is a revelation like the Qur'ān. As for the obligation of following the Sunnah like the Noble Qur'ān, it is also explicitly stated in the Qur'ān. And He ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*Whatsoever the Messenger (saw) gives you, take it, and whatsoever he forbids you, abstain from it*" [TMQ Hashr: 7]

And He ﷻ said:

﴿مَنْ يُطِعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ﴾

"*He who obeys the Messenger (saw), has indeed obeyed Allah*" [TMQ Nisā': 80]

And He ﷻ said:

﴿فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ﴾

"*And let those who oppose the Messenger's commandment beware, lest some fitna (affliction) befall them or a painful torment be inflicted on them*"

[TMQ Noor: 63]

And He ﷻ said:

﴿وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ﴾

"*It is not for a believer, man or woman, when Allah and His Messenger have decreed a matter that they should have any option in their decision*"

[TMQ Ahzaab: 36]

And He ﷻ said:

﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾

"*But no, by your Lord, they can have no imān, until they make you (O Muhammad) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept them with full submission*"

[TMQ Nisā': 65]

And He ﷻ said:

﴿أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ﴾

"*Obey Allah and obey the Messenger*" [TMQ Nisā': 59]

He ﷻ said:

﴿قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ﴾

"*Say (O Muhammad): If you (really) love Allah then follow me*"

[TMQ aal-Imrān: 31]

All of these *ayāt* are explicit and clear in the obligation of following the Messenger ﷺ with regards to what he ﷺ has brought and in considering the obedience to the Messenger ﷺ as obedience to Allah ﷻ.

So the Qur'ān and *hadīth* are *Shari'ah* evidences in terms of the obligation of following what has come therein. The *hadīth* is like the Qur'ān in this respect. Therefore, it is not allowed for someone to say: we have the Book of Allah ﷻ from which we will take (rulings), because what one understands from this statement is that the *hadīth* has been abandoned. Rather, it is imperative that the Sunnah is combined with the Book. So the *hadīth* is taken as a *Shari'ah* evidence just as the Qur'ān. It is not allowed for a Muslim to imply that the Qur'ān alone is sufficient, and the Sunnah is not needed. The Messenger ﷺ has alluded to this, It has been reported that the Prophet ﷺ said:

﴿يوشك أن يقعد الرجل منكم على أريكته يحدَّث بحديثي فيقول: بيني وبينكم كتاب الله، فما وجدنا فيه حلالاً استحللناه، وما وجدنا فيه حراماً حرّمناه، وإن ما حرّم رسول الله كما حرّم الله﴾

"You will find a man who while he is sitting comfortably on his bed narrate my *hadith*, and he will say between me and you is the book of Allaah, whatever we find in it that is halaal we will make it Halaal, and whatever we find in it haraam we will make it haraam. Then the Prophet says: whatever the messenger of Allaah has made haraam is as if Allaah has made it haraam"

[Reported by Al-Haakim and Bayhaqi]

And in the narration of Jabir, which goes back to the Prophet ﷺ, he ﷺ said:

﴿مَنْ بلغه عنّي حديث فكذّب به، فقد كذب ثلاثة: الله، ورسوله، والذي حدث به﴾

"Whosoever comes to know a *hadīth* about me and he rejects it. He has rejected three: Allah, His Messenger and the one who informed him of the *hadīth*"

Therefore, it is wrong to compare the Qur'ān with the *hadīth*, the result of which would be, if the *hadīth* does not agree with it (i.e the Quran) then we abandon it, because this leads to abandoning the Sunnah if it came to specify the Qur'ān, restrict it or elaborate its ambivalent (*mujmal*) parts, since it would show that what the *hadīth* states does not agree with the Qur'ān or it is not found in the Qur'ān. Like the *ahadīth* which relate the branches to the foundation (*asl*). Indeed, the rules mentioned in the *hadīth* have not been mentioned in the Qur'ān, especially, many of the detailed rules which have not been revelead in the Qur'ān but mentioned in the *hadīth* only. Therefore, *Hadīth* is not compared to the Qur'ān regarding what is mentioned in the Qur'ān and rejecting anything else. Indeed, the order regarding this is that when a *hadīth* mentions something which contradicts what has come in the Qur'ān as a definite meaning, then the *hadīth* is rejected on the basis of its meaning i.e the text (*matn*) because it's meaning contradict the Qur'ān. This is like what has been narrated about Fatimah bint Qays when she said:

﴿طلقني زوجي ثلاثاً على عهد رسول الله ﷺ فأتيت النبي ﷺ فلم يجعل لي سكناً ولا نفقة﴾

"My husband divorced me three times in the time of the Messenger of Allah ﷺ. So I went to the Prophet ﷺ but he did not allow me to get lodging (*sukna*) or maintenance (*nafaqah*)"

This *hadīth* is rejected because it contradicts the Qur'ān. It contradicts His ﷻ saying:

﴿أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِنْ وُجْدِكُمْ﴾

"*Lodge them (the divorced women) where you dwell, according to your means*"

[TMQ Talaaq: 6]

Therefore, the *hadīth* is rejected because it has contradicted definite text and definite meaning of the Qur'ān. As for when the *hadīth* does not contradict the Qur'ān since it includes things not brought by the Qur'ān or it is an addition to what is in the Qur'ān, then the *hadīth* is taken just like the Qur'ān. It should not be said; the Qur'ān and what has been mentioned in it suffices for us since Allah ﷻ has ordered us to (follow) them both together and it is obligatory to believe in both of them together.

Inferring evidences from the Sunnah

It is known that the Sunnah is the speech, actions and silence of the Messenger ﷺ and that it is obligatory to adhere to the Sunnah like the Qur'ān. However, it has to be established that the Messenger ﷺ is the one who has said this saying, that he ﷺ performed this action or was silent over this saying or action. And when the Sunnah has been proven, then it is correct to educe proofs from it for the *Shari'ah* rules and beliefs. It is a proof to say that this thing established by the Sunnah is a *Shari'ah* rule or one of the articles of belief. However, the authenticity of the Sunnah is either definite (*qat'i*), such as when a group of *tabi-Tabi'een* transmit from a group of *Tabi'een* from a group of *Sahabah* ﷺ who narrated it about the Prophet ﷺ on the condition that each group is composed of a sufficient number such as to preclude the possibility of an agreement on a lie, This is the *mutawatir* Sunnah (recurrently transmitted sunnah) or the *mutawatir* report. The authenticity of the Sunnah can be speculative (*zanni*), such as when a single narrator or separate single narrators transmit from a *tabi'i-Tabi'een* from a single *tabi'i* or separate single *tabi'i's* from a single *Sahabi* ﷺ or separate single *sahabas* ﷺ who narrated from the Prophet ﷺ. Consequently, the Sunnah, with respect to its eduction, comprises of two categories; the *mutawatir* report and the solitary report (*khabar al-ahad*). As for the *mash-hur* or *mustafid*, it is the report transmitted via single narrators who narrated from the Prophet ﷺ, then the report became widely known in the age of the *Tabi'een* or the *tabi-Tabi'een*, It is one of the solitary reports (*khabar al-ahad*), and it is not a third category. The reason is that in eduction it is not higher than the level of a *khabar al-ahad*, It definitely does not reach the level of *mutawatir*. As long as the transmission has the presence of solitary transmitters at any tier whether among the *Sahabah*, *Tabi'een* or *Tabi Tabi'een*, then it is considered a solitary report even if the last two tiers composed of groups. Thus, the Sunnah is either *mutawatir* (recurrect) or *ahad* (solitary), there is no third category.

The *khabar al-ahad*, if it is *Sahih* (sound) or *hasan* (good), is considered a proof for all of the *Shari'ah* rules and it is obligatory to act upon them whether the rules pertain to worships (*'ibadat*), transactions (*mu'amalat*) or punishments (*'uqubat*). Inferring evidences from it is also allowed. The use of solitary reports in establishing *Shari'ah* rules is proven, and the *Sahabah* ﷺ also had a consensus (*ijma'*) on it. The evidence for this is that the *Shari'ah* has recognised testimony in establishing a legal case, which is a solitary report, so accepting the narration of a Sunnah and accepting the solitary report is compared with the acceptance of a testimony. This is because it has been proven by the text of the Noble Qur'ān that a ruling can be passed on the basis; of two male witnesses or one man and two female witnesses regarding money, on the basis of testimonies by four witnesses in *zina* and two witnesses for *hadd* punishments and equal retribution (*qisaas*), The Messenger of Allah ﷺ passed judgement on the basis of a testimony by one witness and the oath of the *sahib al-haqq*, and he accepted the testimony of one woman regarding suckling and all of these are solitary reports. All the *Sahabah* ﷺ agreed on this and there is no narration that proves otherwise. The judgment is binding by the preponderance of the truth over the lie as long as the uncertainities which make the report to be suspected as a lie are absent or not proven. This binding (ruling) is nothing other than acting upon the solitary report. By *qiyas* (analogy) it is obligatory upon us that we act upon the solitary report narrated about the Prophet ﷺ to outweigh the truth as long as the narrator is just (*'adl*), trustworthy (*thiqa*) and accurate (*thabit*) and he has met the person from which he has narrated the report. Then the doubt of suspected lying is absent and this doubt is not proven. So the acceptance of the solitary report about the Messenger ﷺ and inferring evidences from it for a *hukm* is like the acceptance a testimony and giving the ruling according to the judgement that has been passed. Therefore, the solitary report is also a proof as the Qur'ān has indicated.

In addition to this the Messenger ﷺ said:

﴿نضّر الله عبداً سمع مقالتي فوعاها عني وأداها فرُبَّ حامل فقه غير فقيه، ورُبَّ حامل فقه إلى من هو أفقه منه﴾

"May Allah make a servant radiant, the one who hears my saying and memorises it and deliver/transmits it. Perhaps the one carrying the knowledge is not a *faqih* and perhaps he will carry the knowledge to someone who is more knowledgeable than him"

[Sunan Ibn majah on Behalf of Anas ibn malik]

The Messenger ﷺ says 'may Allah make a servant radiant' and not 'servants'. A servant (*'abdan*) is generic applicable to one or more persons. So he is praising the single and other single persons for transmitting his *hadīth*.

Moreover, the Prophet ﷺ is calling people to memorise his sayings and transmit it. So it is *fard* on every Muslim who hears it (whether one or more persons) to transmit it, and his delivery and transmission of the Prophet's saying to others will have no effect if his statement is not accepted. So the call of the Prophet ﷺ to transmit his sayings is a call for it to be accepted as long as the person to whom the *hadīth* is transmitted believes that this is the speech of the Messenger ﷺ i.e as long as the transmitter is trustworthy, honest, God fearing, accurate and he knows what he is conveying and what he is leaving out, until the suspicion of lying is gone and the truth is preponderant. This shows that the solitary report is a proof from the explicit text of the Sunnah and according to what the Sunnah has indicated.

In addition to this, the Prophet ﷺ sent at one time twelve messengers to twelve kings inviting them to Islam. Every messenger constituted one person to the direction he was sent. If the conveyance (*tabligh*) of the *Da'wah* was not obligatory to follow through a solitary report then the Messenger ﷺ would not be content to send one person to convey Islam. This is explicit evidence from the action of the Messenger ﷺ to say that the solitary report is a proof in the conveyance of Islam. The Messenger ﷺ used to send letters to governors in the hand of solitary messengers, it did not occur to any of his governors to abandon implementing his order because the messenger was a single person. Rather they adhered to what the messenger brought from the Prophet ﷺ in terms of rulings and orders. That is also explicit evidence from the action of the Messenger ﷺ for the fact that the solitary report is a proof that obliges us to act upon the *Sharī'ah* rules and it is proof for the orders and prohibitions of the Prophet ﷺ. Otherwise the Messenger ﷺ would not be content in sending just one person to the governor.

Further it is established about the *Sahabah* ﷺ in what has become well known about them and what has been narrated about them that they used to accept the solitary report when the narrator was trustworthy. The proven facts in this matter exclude any limitation or restriction and there is no narration reported about any one of them that they rejected a solitary report because it was narrated by a single narrator. Rather they would only reject the solitary report if its narrator was not trustworthy. Therefore, the solitary report is a proof for *shari'* rules and in conveying Islam as evidenced by the Quran, Sunnah, *Ijma*' (consensus) of the *Sahabah* (may Allah be pleased with them).

The Solitary Report (*khabar al-ahad*) is not a decisive proof (*hujjah*) for beliefs

The belief in the Messenger Muhammad ﷺ obliges that we obey and follow him. And it obliges us to educe Islam, in terms of *'aqīdah* (creed) and rules, from his Sunnah. Allah ﷻ said:

﴿وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا﴾

"*It is not for a believer, man or woman, when Allah and His Messenger have decreed a matter that they should have any option in their decision. And whosoever disobeys Allah and His Messenger, he has indeed strayed in a plain manner*"

[TMQ Ahzaab: 36]

And He ﷻ said:

﴿أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ﴾

"*Obey Allah and obey the Messenger*" [TMQ Nisā': 59]

And He ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*Whatsoever the Messenger (saw) gives you, take it, and whatsoever he forbids you, abstain from it*"

[TMQ Hashr: 7]

However, to seek inference from the Sunnah varies depending on the subject matter on which inference is required. If the matter on which inference is sought is considered probable (*Ghalabatu ẓann)*, then information about it is sought on the basis of what the Messenger ﷺ most probably said. By greater reason, we seek information about it on the basis that the narrator is certain of what the Messenger ﷺ said. In matters requiring decisiveness and certainty, any inference about it must come from what the narrator is certain about what the Messenger ﷺ said. Such matters are not educted by what the Messenger ﷺ most likely said, this is because the speculative (*Zann*) evidences are not considered to be sound enough for establishing certainty (*Yaqeen*).

It is sufficient for a person to think of the *Hukm Shar'i* that this is probably the *Hukm* of Allah ﷻ and then he is bound to follow it as a *Hukm*. Therefore it is allowed for the evidences (*dalil*) to be speculative (*ẓanni*); whether it is speculative (*ẓanni*) with regards to their authenticity or meaning. The Messenger accepted it in judicial cases and called for its acceptance in the sayings of his *Ahadith*; the *Sahaba* ﷺ also accepted it in their observance of the *Shar'i* rules. Furthermore, the *'aqīdah* (creed) is decisive, agrees with reality and is supported by evidence. This is the nature of the *'aqīdah*, so such evidence should produce decisive acceptance, and this would not happen unless the evidence itself is decisive. Probable (*Zanni*) evidence cannot be decisive. Therefore the solitary report (*Khabar al Ahad*) is not a suitable evidence for the *'aqīdah* because it is based on probability, whereas the *'aqīdah* must be certain and free of doubt.

Allah ﷻ in the Noble Qur'ān has rebuked the following of speculative knowledge (*ẓann*). He ﷻ said:

﴿مَا لَهُمْ بِهِ مِنْ عِلْمٍ إِلَّا اتِّبَاعَ الظَّنِّ﴾

"*They have no (certain) knowledge, they follow nothing but conjecture (ẓann)*"

[TMQ Nisā': 157]

And He ﷻ said:

﴿وَمَا يَتَّبِعُ أَكْثَرُهُمْ إِلَّا ظَنًّا إِنَّ الظَّنَّ لَا يُغْنِي مِنَ الْحَقِّ شَيْئًا﴾

"*And most of them follow nothing but conjecture. Certainly, conjecture (ẓann) can be of no avail against the truth*" [TMQ Yūnus: 36]

And He ﷻ said:

﴿وَإِنْ تُطِعْ أَكْثَرَ مَنْ فِي الْأَرْضِ يُضِلُّوكَ عَنْ سَبِيلِ اللَّهِ إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ﴾

"*And if you obey most of those on earth, they will mislead you far away from Allah's Path. They follow nothing but conjecture (ẓann)*" [TMQ An'ām: 116]

And He ﷻ said:

﴿إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ وَمَا تَهْوَى الْأَنْفُسُ﴾

"*They follow but a guess (ẓann) and that which they themselves desire*"

[TMQ Najm: 23]

And He ﷻ said:

﴿وَمَا لَهُمْ بِهِ مِنْ عِلْمٍ إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ وَإِنَّ الظَّنَّ لَا يُغْنِي مِنَ الْحَقِّ شَيْئًا﴾

"*While they have no knowledge thereof. They follow but a guess (ẓann), and verily, guess (ẓann) is no substitute for the truth*" [TMQ Najm: 28]

These and other verses in the Qur'ān explicity rebuke those who follow speculation (*Zann*) in the creed (*Aqa'id*) of Islam. These rebukes are evidences of the prohibitions of following speculation (*Zann*). The solitary report (*Khabr al-Ahad*) is speculative evidence, so taking this as evidence in the *'aqīdah* is a matter explicitly rebuked in the Qur'ān. Thus the *Shar'i* evidence and the reality of the *'aqīdah* itself indicates that deduction from speculative (*Zanni*) evidence does not oblige belief in what this evidence brings. Thus the solitary report (*Khabar al-Ahad*) is not a proof for the '*Aqa'id*. The above-mentioned verses have been explicitly restricted to the '*Aqa'id* and not the *Shar'i* rules because Allah ﷻ determined the following of speculation (*Zann*) in the creed as misguidance (*Dhalal*) and he ﷻ clearly reproached those who follow speculation in the '*Aqa'id*.

He ﷻ said:

﴿إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ وَمَا تَهْوَى الْأَنْفُسُ﴾

"*They follow but a guess (ẓann) and that which they themselves desire*"

[TMQ Najm: 23]

﴿أَفَرَأَيْتُمُ اللَّاتَ وَالْعُزَّى ۞ وَمَنَاةَ الثَّالِثَةَ الْأُخْرَى ۞ أَلَكُمُ الذَّكَرُ وَلَهُ الْأُنْثَى ۞ تِلْكَ إِذًا قِسْمَةٌ ضِيزَى ۞ إِنْ هِيَ إِلَّا أَسْمَاءٌ سَمَّيْتُمُوهَا أَنْتُمْ وَآبَاؤُكُمْ مَا أَنْزَلَ اللَّهُ بِهَا مِنْ سُلْطَانٍ إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ﴾

"*Have you then considered al-Lat and al-'Uzza. And Manat, the other third? Is it for you the males and for Him the females? That indeed is a division most unfair! They are but names which you have named, - you and your fathers, - for which Allah has sentdown no authority. They follow but a guess (ẓann)...*" [TMQ Najm: 19-23]

This indicates that the matter in concern is the '*Aqa'id.*

Allah ﷻ says:

﴿وَإِنْ تُطِعْ أَكْثَرَ مَنْ فِي الْأَرْضِ يُضِلُّوكَ عَنْ سَبِيلِ اللَّهِ إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ﴾

"*And if you obey most of those on earth, they will mislead you far away from Allah's Path. They follow nothing but conjecture (zann)*" [TMQ An'ām: 116]

So He ﷻ defined the *Dhalal* as *Kufr*, which happens after following conjecture (*Zann*) in belief. Thus, this indicates that the subject matter of the *ayat* is the '*Aqa'id.* From another angle, it has been established that the Messenger ﷺ judged using the solitary report. In his time, the Muslims accepted the *Hukm Shar'i* by the solitary report (*Khabar al-Ahad*) and he ﷺ accepted that. Thus the *Hadith* of the Messenger ﷺ specified these verses in other than *Hukm Shar'i* i.e. in the *Aqa'id.* Therefore, the *Hadith* of the Messenger excluded *Hukm Shar'i* from the verses on the assumption that some of the verses are general (*'Aamm*) in form.

As for what has been reported about the Prophet ﷺ that he sent single envoys to the rulers and single messengers to his *'Amils* and what has been reported that the *Sahabah* ﷺ used to accept the saying of a single Messenger in informing them of the *Sharī'ah* rule such as (the order to) face the *Ka'ba*, the order prohibiting alcohol, the Messenger's ﷺ sending of 'Ali ﷺ to the people to read to them sura *'al-Tawba'* and so on. This does not indicate the acceptance of the *khabar al-ahad* in *'aqīdah* but the acceptance of *khabar al-ahad* in conveing (*tabligh*) the *Dawah*, whether in conveying the *Sharī'ah* rules or conveying Islam itself. It should not be claimed that accepting the conveyance of the message of Islam is a conveyance of the *'aqīdah*. Since accepting the conveyance of Islam is an acceptance of a report and not the acceptance of *'aqīdah*. As evidenced by the fact that the one to whom a report is conveyed must use his intellect regarding that which has reached him. If decisive evidence is established for him upon it, he should believe in it and he will be accounted if he disbelieves in it. Thus, the rejection of a report about Islam is not considered *kufr*, but the rejection of Islam for which the decisive evidence has been established for him is what is considered to be an act of *kufr*. Therefore, conveying Islam is not considered part of *'aqīdah*. There is no dispute about the acceptance of a report of a single person in conveyance. All the reported incidents indicate that spreading the message constituted either the conveyance of Islam, Qur'ān or the rules. As for the conveyance of *'aqīdah*, there is no evidence for educing it from the *khabar al-ahad.*

Therefore, the evidence of the *'aqīdah* must be certain, i.e, definite evidence. Because the *'aqīdah* is definitive and decisive. It is not definitive or decisive unless derived from definite evidence. Therefore, the evidence must be Qur'ān or *Hadith mutawatir* such that both are definite in meaning. It has to be taken in *'aqīdah* and *Sharī'ah* rules. The one who rejects it is charged with *kufr* as well as the one who denies what it indicates, whether it is a belief or a *Sharī'ah* rule.

However, if the evidence is based on a solitary report (*Khabar al-Ahad*), then it would not be definite (*Qat'i*). If it is sound (*Sahih*) then it would indicate high probability and the creed (*'Aqa'id*) brought by it would be accepted as speculative, but not as definite. It is not permitted to believe in such *'Aqa'id* as it would not be decisive. This is because *'aqīdah* is a matter of decisiveness and certainity, while the solitary report (*Khabar al-Ahad*) only indicates probability. The one who rejects the solitary report (*Khabar al-Ahad*) is not considered a *Kafir*. However it is not allowed to belie it because if it was allowed to belie it then it would be allowed to belie all the *Ahkam Sharī'ah* inferred from the speculative (*zanni*) evidences, a matter of which no Muslims ever talked about.

In this matter, *Khabar al-Ahad* is like the Qur'ān. The Qur'ān was delivered to the *Ummah* by *Tawatur* (recurrent narration), so the Muslims must believe in this and whoever denies this is considered a *Kafir*. However those *Ayahs* of the Qur'ān narrated through *Khabar al-Ahad* are not

considered as being from the Qur'ān nor must we believe in them. Though these *Ayahs* were narrated as Qur'ān, they were narrated through solitary report (*Khabar al-Ahad*) and this negates their validity of them being from the Qur'ān and therefore negates the obligation of believing in them. This is like the so-called *ayah*

"الشيخ والشيخة إذا زنيا فارجموهما البتة نكالاً من الله والله عزيز حكيم"

"The old man and the old woman, if they commited adultery (*zina*) stone them definitely, as an exemplary punishment from Allah, and indeed Allah is *Azeez* and *Hakeem*"

In the same way a *Hadith* may be narrated as *Khabar al-Ahad* and vice-versa, but this method of narration would negate the necessity of accepting and believing in this *Hadith*. However, it is accepted as a *Hadith* and it is obligatory to take from what it came with as *Hukm Shar'i*.

The difference between the *'Aqīdah* and the *Sharī'ah* rule (*Hukm Shar'i*)

Linguistically, *'aqīdah* (creed) means

"ما عقد عليه القلب"

The matter on which the heart has tied a knot (belived in firmly).

The meaning of tying a knot is to be sure of, that is, believe in it decisively, this is general, which includes belief in everything. However, the belief in a certain matter is examined in terms of the thing in which the conviction has taken place. If it was a fundamental matter or one that is branching out from a fundamental matter then it is correct to call it an *'aqīdah* (creed) and it is correct for one to take it as a fundamental criterion for other beliefs, so the heart tying a knot on it will have a manifest impact. If the matter in which one has conviction is not a fundamental matter or is branching out from a fundamental matter then it will not be part of the *'aqīdah* (creed), this is because the heart tying a knot on it will not have a manifest impact. In believing in it one will not find in it any reality or any benefit. And when the heart's tying a knot on any subject matter has an effect, it will push him to determine his stance towards it in terms of belief and denial, and then it will be part of the *'aqīdah* (creed).

The *'aqīdah* (creed) is a comprehensive thought concerning the universe, man and life, what preceded this wordly life and what is to follow it, and the relationship of this life with what preceded it and what is to follow it. This is the definition of every *'aqīdah* (creed) and it applies to the Islamic *'aqīdah* (creed). Included in it are the unseen matters. So the belief in Allah ﷻ, His angels, His books, His Messengers, the Last Day, divine fate and destiny (*qadā' wal qadā'*r), that good and bad is from Allah ﷻ is the Islamic *'aqīdah* (creed). The belief in Paradise (*jannah*), Hellfire (*nar*), angels, *shaytan's* etc is from the Islamic *'aqīdah* (creed), thoughts and whatever relates to it. Also narrations and the unseen things that cannot be percieved are considered from *'aqīdah* (creed).

As for the *Sharī'ah* rules;

"فهي خطاب الشارع المتعلق بأفعال العباد"

"It is the address of the Legislator regarding the actions of servants".

In other words they are thoughts regarding an action or the attributes of the human being as being part of his actions. Thus, leasing, selling, dealing with usury, custody, representation (*wikala*), prayer (*salah*), appointing a *Khalifah*, implementation of the punishments (*Hudud*) of Allah ﷻ, the fact that the *Khalifah* should be a Muslim and the witness be just and the ruler be a man etc All of these are considered to be from the *Sharī'ah* rules. Oneness of Allah (*Tawheed*), The Message (*Risalah*), resurrection (*ba'th*), truthfulness of the Messenger, infallibility of the Prophets, that fact that the Qur'ān is Allah's speech (*kalam*), reckoning (*hisab*) and torment (*'azaab*) etc, all of these are considered part of the *'aqīdah* (creed). Thus, the articles of belief (*'aqa'id*) are thoughts that are believed. And the *Sharī'ah* rules are the address which relates to the action of the human being. Thus, the two *rakats* of *fajr* is a *Sharī'ah* rule in terms of praying them. And the belief that they are from Allah ﷻ constitutes *'aqīdah* (creed). So praying the two rakats Sunnah of *fajr* is Sunnah. If one does not pray it he is not blamed. If he prays it he will get the reward like the two rakats (Sunnah) of *Maghrib* prayer, both of which are the same in terms of the *Sharī'ah* rule. As for in terms of the *'aqīdah* (creed), belief in the two rakats of *fajr* is a definite matter, rejecting them is disbelief (*kufr*) because they have been proven by way of *tawatur*

(recurrent lines of transmission). As for belief in the two rakats of *Maghrib*, it is requested but if one rejects them it is not considered *kufr* because they have been proven by speculative (*zanni*) evidence which is a solitary report (*khabar al-ahad*). The solitary report (*khabar al-ahad*) is not a proof in the articles of belief (*'aqaid*). Cutting the hand of the thief is a *Sharī'ah* rule but the fact that it is from Allah ﷻ and believing in it is from the *'Aqeeda*. The prohibition of usury is a *Sharī'ah* rule. But, believing that it is rule from Allah ﷻ is part of the *'Aqeeda* etc.

Therefore, there is a difference between the *'aqīdah* (creed) and the *Sharī'ah* rule. *'aqīdah* (creed) is *Imān*, which is the definite belief which is in agreement with the reality based on evidence. In this decisiveness and certainty is required. The *Sharī'ah* rule is the address of the Legislator pertaining to the actions of the servants. In this speculative knowledge (*zann*) is sufficient. Thus, comprehension of the thought and the belief in whether it has a reality or not is part of the *'aqīdah* (creed) and the comprehension of a thought and considering it or not considering it as a solution for an action of a human being is a *Sharī'ah* rule. In order to consider the thought as a solution the speculative (*zanni*) evidence is sufficient. However, in order to believe in the presence of a reality of a thought, one must have definite evidence (*dalīl qat'i*).

Ijtihād and *Taqlīd*

Allah ﷻ addressed the whole of mankind through the Prophethood of our master Muhammad ﷺ

He ﷻ said:

﴿قُلْ يَا أَيُّهَا النَّاسُ إِنِّي رَسُولُ اللَّهِ إِلَيْكُمْ جَمِيعًا﴾

"*O mankind ! Verily, I am sent you all as the Messenger of Allah"*

[TMQ 'Arāf: 158]

And He ﷻ said:

﴿يَا أَيُّهَا النَّاسُ قَدْ جَاءَكُمْ بُرْهَانٌ مِنْ رَبِّكُمْ﴾

"*O mankind ! Verily, there has come to you a convincing proof (Muhammad (saw)) from your Lord*" [TMQ Nisā': 174]

And He ﷻ said:

﴿يَا أَيُّهَا النَّاسُ قَدْ جَاءَكُمُ الرَّسُولُ بِالْحَقِّ مِنْ رَبِّكُمْ﴾

"*O mankind ! Verily, there has come to you the Messenger (Muhammad (saw)) with the truth from your Lord"* [TMQ Nisā': 170]

And He addressed the people and the Muslims with the *ahkām* of Islam. He ﷻ said:

﴿يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمْ إِنَّ زَلْزَلَةَ السَّاعَةِ شَيْءٌ عَظِيمٌ﴾

"*O mankind! Fear your Lord and be dutiful to Him ! Verily, the earthquake of the Hour (of judgment) is a terrible thing"* [TMQ Hajj: 1]

He ﷻ said:

﴿يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ﴾

"*O mankind ! Be dutiful to your Lord, Who created you from a single person"*

[TMQ Nisā': 1]

He ﷻ said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِنَ الْكُفَّارِ وَلْيَجِدُوا فِيكُمْ غِلْظَةً﴾

"*O you who believe ! Fight those of the disbelievers who are close to you and let them find harshness in you.*" [TMQ Tawba: 123]

And He ﷻ said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَارَى﴾

"*O you who believe ! Approach not the prayer when you are in a state of intoxication*" [TMQ Nisā': 43]

And He ﷻ said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا ضَرَبْتُمْ فِي سَبِيلِ اللَّهِ فَتَبَيَّنُوا﴾

"*O you who believe ! When you go to (fight) in the Path of Allah, verify (the truth)"*

[TMQ Nisā': 94]

And He ﷻ said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ﴾

"*O you who believe ! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves*"

[TMQ Nisā': 135]

So for the one who has heard the address he becomes obliged to understand it and believe in it. And the one who believed in it, he is obliged to understand it and act upon it, because it is a *Hukm Shar'i* (*Shari'ah* rule). So the basis for a Muslim is that he himself should understand the rule (*Hukm*) of Allah ﷻ from his ﷻ address. Since, the address has been aimed directly at the people by the Legislator and not aimed only at the *Mujtahiddin* or the *'Ulama* but to all the legally responsible (*mukallifin*). Thus it became an obligation on the legally responsible (*mukallafin*) to understand this address until they are able to practise it since it is impossible to act according to the address without comprehending it. Thus, the deduction (*istinbat*) of Allah's *hukm* became *fard* on all the legally responsible (*mukallifin*) i.e, *Ijtihād* became *fard* on all the legally responsible (*mukallifin*). Consequently, the basis (*asl*) is that the legally responsible (*mukallaf*) person adopts the *Hukm* of Allah ﷻ himself from the address of the Legislator because it is he who has been addressed by this speech, which is the *hukm* of Allah ﷻ.

However, the reality of the legally responsible (*mukallafin*) is that there is a disparity in their understanding and comprehension and in their (aptitude to) learn. They also differ in terms of knowledge and ignorance. Therefore, it is realistically impossible for all of them to deduce all the *Sharī'ah* rules from the evidences i.e, it is impossible for all the legally responsible (*mukallafin*) to be *mujtahiddin*. Since the objective is to understand the address and act upon this understanding, therefore, *Ijtihād* is *fard* on all the legally responsible (*mukallifin*). But it is impossible for all the legally responsible (*mukallafin*) to understand the address for themselves due to the disparity in their understanding and comprehension and the disparity in learning therefore the obligation of *Ijtihād* becomes one of sufficiency (*'ala al-Kifaya*). If some undertake it the rest are absolved of the sin. Therefore, it became obligatory on the legally responsible Muslims that there should be *Mujtahiddin* amongst them who will derive the *Sharī'ah* rulings.

Therefore, the reality of the legally responsible (*mukallafin*) and that of the *Hukm Shar'i* means that there would be two catagories amongst the Muslims, the *mujtahiddin* and *muqallidin*. This is because the one who adopts the *hukm* himself directly from the evidence is a *mujtahid*, and the one who questions the *mujtahid* about a *hukm Shar'i* is a *muqallid* irrespective of whether the questioner asked in order ; to learn and act upon it, to learn and teach it to others or to learn it only. The *muqallid* is considered a *muqallid* when he asks someone who is not a *mujtahid* but knows the *hukm Shar'i* and is able to tell others, whether the one who was asked was a learned person or a layman. Thus, they are all followers (*muqallid*) of others in this *hukm* even if he did not know the one who deduced it, because the legally responsible (*mukallaf*) is required to adopt the *hukm Shar'i* and not follow any particular person. Being a *muqallid* means that he has adopted a *hukm Shari*', via a person, which he has not deduced himself and it does not mean he followed a particular person because the subject matter is the *hukm Shari*' and not the person. The difference between the *muqallid* and the *mujtahid* is that the *mujtahid* deduces the *Hukm Shari'* from the *Sharī'ah* evidence himself and the *muqallid* is the one who adopts the *hukm Shari'* which has been deduced by someone other than him whether he knew the one who derived it or not, as long as he trusts that this is a *Shari'ah* rule. It is not lawful *Taqlīd* to adopt the opinion of any ordinary person or that of a scholar, thinker or philosopher, Non of this is legitimate *Taqlīd.* Rather it is tantamount to adopting something which is other than Islam and it has been

prohibited by the *Shari'ah*. It is not allowed for the Muslim to do that since Allah ﷻ has ordered us to adopt from the Messenger Muhammad ﷺ and not from anybody else whoever he may be. He ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*And whatsoever the Messenger (saw) gives you, take it, and whatsoever he forbids you, abstain (from it)"*
[TMQ Hashr: 7]

A prohibition has been mentioned with regards to adopting an opinion which originates from the people. The prophet ﷺ said,

﴿أن الله لا ينزع العلم بعد إذ أعطاكموه انتزاعاً، ولكن ينزعه مع قبض العلماء، فيبقى ناس جهال يُستفتون فيفتون برأيهم فيضلون ويُضلون﴾

"Allah will not deprive you of knowledge after he has given it to you, but it will be taken away through the death of the religious learned men with their knowledge. Then there will remain ignorant people who, when consulted, will give verdicts according to their opinions whereby they will mislead others and go astray."

[Reported by Bukhari on behalf of Abdulla ibn amr]

i.e, they give *fatwa* according to their own whims and opinions. The opinion which has been deduced is not considered as an opinion originating from the one who deduced it; rather it is (considered) a *hukm Shari*'. As for what emanates from a person, it is considered (merely) an opinion and this is the reason why the Messenger ﷺ called it an innovation (*bid'a*). In an authentic *hadith* the Prophet ﷺ said:

﴿خير الحديث كتاب الله وخير الهدي هدي محمد ﷺ وشر الأمور محدثاتها وكل بدعة ضلالة﴾

"The best speech is the Book of Allah and the best guidance is the guidance of Muhammad ﷺ. And the evil matters are the newly invented issues and every *bida* (innovation) is a misguidance"

The 'newly invented issues' are the innovations. They are whatever contradicts the Quran, Sunnah, *Ijma*' in terms of the rules (*ahkām)* whether by action or speech. As for what is other than the rules (*ahkām)* such as actions and things it does not fall under the word 'innovation' (*bid'a*) nor does it fall in the category of the rebuked and prohibited, what does fall in it is the taking of the *Hukm* of an action or thing from the opinion of a person because the *Hukm* can only be taken from the *Shar'i* evidences and not from anywhere else. Thus the *Taqlīd* allowed by the *Shari'ah* is for the person unable to deduce the *Hukm Shar'i* to be allowed to ask the scholar about a particular *Hukm Shar'i* so as to learn and adopt it. To summarise, it is allowed for anybody unaware of a *Hukm Shar'i* to ask the one who does know the *Hukm* so he may learn and adopt it, and this is the meaning of (legitimate) *Muqallid* legally.

Expert Research *(Ijtihād)*

Linguistically *Ijtihād* is the exertion of ones utmost effort to realise a matter which entails a measure of discomfort and difficulty. As for the definition of the *Usuli* scholars, it is specifically the expenditure of ones energies in seeking a preponderant opinion (*zann*) about a thing from the *Sharī'ah* rules in a manner the *mujtahid* feels unable to exert any more.

Ijtihād has been proven by the text of the *hadīth*. It has been narrated about the Prophet ﷺ that he said to Abu Musa ﷺ when he sent him to Yemen:

﴿اقضِ بكتاب الله، فإن لم تجد فبسنة رسول الله، فإن لم تجد فاجتهد رأيك﴾

"Judge by the book of Allah ﷻ and if you do not find (solution there) then by the Sunnah of the Messenger of Allah. And if you do not find it there then exercise your own Ijtihād"

And it has been narrated about him ﷺ that he said to Mu'az and Abu Musa al-Ash'ari having dispatched them to Yemen:

﴿بم تقضيان؟ فقالا: إن لم نجد الحكم في الكتاب والسنة قسنا الأمر بالأمر فما كان أقرب إلى الحق عملنا به﴾

"By what will you judge?' They said: If we do not find the *hukm* in the *Kitab* and the Sunnah we will make analogy between two issues. Whatever is closer to the truth we will act upon that"

This Analogy (*qiyas*) is *Ijtihād* by deriving the *hukm* and the Prophet ﷺ accepted it from them. It has been reported about him ﷺ that he said to Mu'az when he sent as Wali (governor) to Yemen:

﴿بم تحكم؟ قال بكتاب الله. قال: فإن لم تجد. قال بسنة رسول الله. قال: فإن لم تجد. قال: أجتهد رأيي. فقال: الحمد لله الذي وفق رسول رسول الله لما يحبه الله ورسوله﴾

"By what will you pass Judgement ?' He said: By the Book of Allah. The Prophet ﷺ said: If you do not find it there ? He said: By the sunnah of the Messenger of Allah ﷺ. He said: And if you do not find it ? He said: 'I will exercise my own Ijtihād' He ﷺ said: 'Praise be to Allah who has made the messenger of the Messeneger of Allah to accord with what Allah and His Messenger loves"

This is clear in the Prophet's ﷺ acceptance of Mu'az's intention to practise *Ijtihād* and there is no one who disputes the legality of *Ijtihād*. Furthermore, an *ijma'* (consensus) of the *Sahabah* ﷺ took place on the issue of judging by an opinion which has been deduced from the *Sharī'ah* evidence i.e, they have agreed on the use of *Ijtihād* on any incident that takes place for which no (clear) text has been found. And this is what has reached us in successive reports (*tawatur*) in which there is no doubt. One such report is the saying of Abu Bakr ﷺ when he was asked about the *Kalala*. He said: 'I will speak about it according to my opinion. If it is correct then it is from Allah ﷻ. If it is a mistake then it is from me and from Shaytan and Allah ﷻ has nothing to do with it. *Kalala* is the one who has no children or parents left.' His statement: 'I will speak about it according to my opinion' does not mean this opinion is from him. Rather it means I will say according to what I understand from the expression '*Kalala'* in the verse. *Kalala* in the Arabic language applies to three people; the one who did not leave a child or parent or the one who does not have a son or a father from his descendants and the relatives from other than the direction of the child or father. So which of these meanings would apply to the word *kalala* in the verse ? Abu Bakr ﷺ understood it to have one of those meanings in His ﷻ saying:

﴿وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً أَوِ امْرَأَةٌ﴾

"*If the man or woman whose in hereitence is in question has left niether ascendents or descendents"* [TMQ Nisā': 12]

Kalala is the predicate (*khabar*) of the verb 'to be' (*kana*) i.e, if the man leaves no ascendents or descendents to inherit after him. He ﷺ probably understood this also from the second verse:

﴿قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ إِنِ امْرُؤٌ هَلَكَ لَيْسَ لَهُ وَلَدٌ﴾

"*Say: "Allah directs (thus) about al-Kalala (those who leave niether descendents nor ascendents as heirs). If it is a man that dies leaving no child*" [TMQ Nisā': 176]

And also from the *hadīth* which has been reported about the cause of the verse:

﴿قُلِ اللَّهُ يُفْتِيكُمْ﴾

"*Say: "Allah directs (thus).*" [TMQ Nisā': 176]

It has been reported that the Messenger ﷺ visited Jabir ibn 'Abd Allah ﷺ who was ill. He said: I leave no ascendents or descendants. What shall I do with my wealth? Thus the verse:

﴿إِنِ امْرُؤٌ هَلَكَ﴾

"*If it is a man that dies*" [TMQ Nisā': 176]

was revealed in response to the question of Jabir. This opinion which Abu Bakr ﷺ stated is an *Ijtihād* and it does not emanate from himself. Also from this *Ijtihād* Abu Bakr ﷺ included the mothers mother in the inheritance to the exclusion of the father's mother. Some of the Ansar said to him:

"لقد ورثت امرأة من ميت لو كانت هي الميتة لم يرثها، وتركت امرأة لو كانت هي الميتة ورث جميع ما تركته فرجع إلى التشريك بينهما"

'You give inheritance to a woman from a deceased person who would not inherit from her if she died. Yet you ignored a woman, who if she had died, he would have inherited everything she left behind.'

So Abu Bakr ﷺ gave both grandmothers equal shares in the inheritance. Abu Bakr ﷺ also used to give equal gifts to the Muslims. 'Umar ﷺ said to him concerning this matter:

"عمر لا تجعل من ترك دياره وأمواله مهاجراً إلى النبي عليه السلام كمن دخل في الإسلام كرهاً"

'do not put those who emigrated for the Prophet and left their homes and wealth behind on an equal footing with those who embraced Islam under duress.'

Abu Bakr ﷺ answered:

"إنما أسلموا لله وأجورهم على الله وإنما الدنيا بلاغ"

'They embraced Islam for the sake of Allah ﷻ, and the Dunya is nothing but a message (Balagh).'

Likewise 'Umar ﷺ said:

"أقضي في الجد – أبي الأب – برأيي وأقول فيه برأيي"

'I judge concerning the paternal grandfather (father's father) by my opinion and state concerning it according to my opinion. i.e. according to his understanding of the texts'. In the time of 'Umars ﷺ rule a woman passed away leaving behind a husband, mother, two maternal brothers and two paternal fathers. 'Umar first thought that the maternal brothers should have the third as their right, but this left nothing to the paternal brothers. The paternal brothers approached 'Umar ﷺ and said to him:

"هب أن أبانا حمار – وفي رواية حجر – ألسنا من أم واحدة"

'Assume that our father is but a donkey (in other narrations, a stone) – are we still not of one mother?'

So 'Umar ﷺ changed his mind and gave all the brothers equal shares in the third, in spite of the fact the *Sahabah* had judged differently. They had given the husband one half of the inheritance, one sixth of the inheritance was given to the mother as decreed in the text, and the final third was given to the maternal brothers as also determined in the text, thus leaving nothing for the paternal brothers. 'Umar ﷺ understood that the maternal brothers were brothers of the man from his mother's side, but this applied not just to the maternal brothers but also to the paternal brothers. The mother was the common factor between them all, so when nothing had been left to the paternal brothers, their right was of what they deserved from the maternal brothers. The rest of the *Sahabah* saw it differently; they understood the text and made their own *Ijtihād.* Consider also the case when a Muslim, named Samrah took from a Jewish merchant a tenth portion of alcohol (as customs), bottled it and then sold it. So 'Umar ﷺ said:

"قاتل الله سمرة، أما علم أن النبي ﷺ قال: ﴿لعن الله اليهود حرمت عليهم الشحوم فجملوها فباعوها﴾"

"May Allah ﷻ fight Samrah. Does he not know that the Prophet ﷺ said: 'May Allah ﷻ curse the Jews. The fat was made Haram upon them, so they ornamented it and sold it.'"

In this case, 'Umar ﷺ made the analogy between the alcohol and the fat, and that prohibition of it meant prohibition of its selling price. A further example of *Ijtihād* is what 'Ali ﷺ said regarding punishment (*Hadd*) for the crime of drinking alcohol. He said:

"من شرب هذى ومن هذى افترى فأرى عليه حد المفتري"

'Whoever drinks it will speak nonsense, and who did so would fabricate lies, so I see that he must be punished like the fabricator of lies.'

Like 'Umar ﷺ in the previous example, 'Ali ﷺ made an analogy between drinking and fabrication of lies because he understood from *Shar'a* that which is likely to happen is treated the same as that which happens. This is like when the *Shar'a* treated sleeping the same as ritual impurity, and the act of sexual intercourse in requiring the *Iddah* (legal period a woman waits after divorce for marriage) the same as if the womb had become engaged (pregnant). All these are examples of *Ijtihād* by the Sahabah and *Ijma'a as-Sahaba* on the issue of *Ijtihād.*

The application of a *hukm* on issues which are classified under it is not considered *Ijtihād* rather but only as the comprehension of the *Sharī'ah* rule. Since *Ijtihād* is the inference of a *hukm* from the text whether from its wording (*mantooq*), understanding (*mafhoom*), from its indication (*dalalah*) or from the '*illah* which has been mentioned in the text. Whether the inference was an inference of a comprehensive *hukm* (*hukm kullī*) from a comprehensive evidence (*dalīl kullī*); for example, the inference that a punishment should be imposed on the thief since the legislator made the cutting of the hand a *hadd* punishment for theft. Or the inference could be of a partial *hukm* (*hukm juz'i*) from a partial evidence (*dalīl juz'i*); such as the deduction of the *hukm* of hiring since the Prophet ﷺ

﴿استأجر أجيراً من بني الدئل هادياً خريتاً﴾

"(The Prophet ﷺ) Hired a worker from *Bani al-Du'l* as an experienced guide" [Reported by Bukhari]

And from His ﷻ saying:

﴿فَإِنْ أَرْضَعْنَ لَكُمْ فَآتُوهُنَّ أُجُورَهُنَّ﴾

"*Then if they give suck to the children for you, give them their due payment*"

[TMQ Talaaq: 6]

Or like the inference of the *hukm* of giving the worker his wage after he has finished his work due to the Prophet's ﷺ saying:

﴿أعطوا الأجير أجره قبل أن يجف عرقه﴾

"Give the worker his wage before his sweat dries"

[Reported by Ibn Majah on Behalf of Abdullah Ibn Umar]

It is a partial evidence for a partial *hukm*. So this inference of a comprehensive *hukm* from a comprehensive evidence and the inference of a partial *hukm* from a partial evidence, all of this is considered *Ijtihād* because it is the adoption of a *hukm* from a *dalīl* whether the *hukm* was general which was extracted from a general evidence or the *hukm* was specific which was extracted from a specific evidence. All of it constitutes exerting one's outmost in understanding the *hukm* from the evidence. As for the application of the *hukm* on new issues which fall within its meaning or is classified under it being one of its constituents, this is not regarded as *Ijtihād*. For example, Allah ﷻ has forbidden carrion. When a cow is killed by striking a blow to its head until it dies, its meat is not eaten because it has died as carrion and it was not lawfully slaughtered and the flesh of carrion is *harām*. And the *hukm* of tinned meat, which comes from the cow which has not been slaughtered lawfully, eating and selling it is *harām* in the *Sharī'ah*. This *hukm* has not been deduced; rather it is classified under the word 'carrion'. For example, the animals slaughtered by the Druze are not eaten because it has not been slaughtered by Muslim or someone from the people of the book. So this *hukm*, i.e, the prohibition of eating the slaughtered animal of the Druze, has not been deduced. Rather a *hukm* which is already known has been applied on it, which is the prohibition of eating the animals slaughtered by the disbelievers who are not from the people of the Book. For instance, the permissibility of a woman being a member of the *majlis al-Shura* is a *Sharī'ah* rule. This *hukm* has not been deduced; rather the *hukm* of *Wikala* (representation) has been applied to it. The membership of the *majlis al-shura* is the representation of an opinion. It is allowed for the woman to delegate others to put forward opinions and she can represent others in their opinion. For example, *Zakat* is not given to anyone other than the one who is poor and his poverty is ascertained by speculative indications for which evidence has been furnished for its lawful consideration. Judgement is not passed without the statement of a just person ('*adl*) and his trustworthiness ('*adala*) is known by (the least amount of) doubt. And similarly, someone making inquiries to find out the *qibla* (direction of prayer) until the *qibla* is known after the investigation and others such examples. All these matters are not arrived at by way of *Ijtihād* which is the inference of rules from the *Sharī'ah* evidences but by way of applying the rules on the detailed issues (*juz'iyyat*) or by understanding the detailed issues and applying the rulings on them. This practise falls under the scope of the judiciary (*qadā'*) and does not come under *Ijtihād*. This practise is not considered *Ijtihād* because it does not determine a specific *Sharī'ah* rule but only applies a *Sharī'ah* rule on an incident which has already been decided and understood, when another incident of a similar type happens, the rule is applied on it similar to the initial incident and so it is not considered *Ijtihād*. The *Sharī'ah* rules require application after

understanding them from the evidence and not *Ijtihād*, which is contrary to the *Sharī'ah* texts which require *Ijtihād* in order to adopt the *hukm Sharī*'. Therefore,

"الاجتهاد الشرعي المعتبر اجتهاداً هو بذل الوسع في فهم النصوص الشرعية واستنباط الحكم منها، وليس هو بذل الوسع في تطبيق الأحكام الشرعية على المسائل المندرجة تحتها"

"The legitimate *Ijtihād* is exertion of ones utmost to understand the *Sharī'ah* texts in order to deduce the ruling from it. It is not the exertion of ones utmost in applying the *Sharī'ah* rules on the issues that are classified under it."

The texts of the Islamic *Sharī'ah* require the Muslims to perform *Ijtihād*. This is because the *Sharī'ah* texts have not come in a detailed manner but have come in ambivalent form (*mujmal*), applicable to all incidents involving the human kind. Understanding them and deducing the *hukm* of Allah ﷻ from them requires the expending of effort to adopt the *hukm Shar'i* for each incident. Even the texts which have come in an elaborate manner and deal with details, they are in fact general ('*amm*) and ambivalent (*mujmal*). For example, the verses of inheritance have come in an elucidatory manner and deal with minute details, despite that in terms of the partial rules they still require comprehension and deduction in many issues such as the issue of *kalala* and issues of disinheritance (*hajab*). All the *Mujtahideen* take the view that the male or female child take precedence in inheritance over the brothers of deceased because the word '*walad*' (child) refers to children of both sexes. Ibn 'Abbas holds the view that the girl does not have such role because the word *'Walad'* refers to a male only. This shows that even the texts which treat various issues in detail have come as ambivalent (*mujmal*), and that understanding and deducing a *hukm* from them requires *Ijtihād*.

However, these texts which deal with details require application to newly occurring incidents. This application however is not what is meant by *Ijtihād*. What is intended is the inference of a *hukm* from its ambivalent/equivocal (*mujmaliha*) even if they deal with details, they are general ('*amm*) and ambivalent/equivocal (*mujmal*) and they are the legislative texts. It is the nature of legislative texts to be general and ambivalent/equivocal (*mujmal*) even if they dwelve on details. The *Sharī'ah* texts, whether they are from the Qur'ān or from the Sunnah are ; the best legislative texts for the field of thought, the widest of scope for generalisation, and the most fertile ground to cultivate general principles. And they alone are suitable as legislative texts for all peoples and nations. As for being the best texts for the field of thought that is observable from the way in which they encompass all types of relationships. This is because relationships of all types, whether relationships between individuals or relationships between the state and citizens or relationships between states, peoples and nations. However new and multifarious these relationships may be, the thought is able to deduce rulings for them from those *Sharī'ah* texts, Therefore they are the best texts for the field of thought from all the legislative texts. As for it having the best scope for generalisation, that is clear from its sentences, words, style of formulating (expressions) in terms of its encompassment of the wording (*mantuq*), understanding (*mafhum*), meaning (*dalāla*) and justification (*ta'leel*) and analogy to the '*illah* which makes the inference for every action feasible, permanent and inclusive. This insures that it is able to encompass everything, being complete and general. As for it being the the most fertile ground to cultivate general principles, that is apparent from the abundance of general meanings which these texts contain and from the nature of the general meanings. That is because the Qur'ān and the *hadīth* have come along broad lines even when touching on details. The nature of these broad lines is that they give the *Kitab* and Sunnah general meanings under which general and specific issues can be classified. And it is from this the abundance of general meanings come. In addition, these general meanings contain real and perceptible issues and not hypothetical issues that have been arrived at theoretically or logically. And at the same time they are there to solve the problems of man and not only for specific individuals that is, to clarify the ruling for the action

of human beings, whatever be the instinctual manifestation that may have pushed them to this action. That is why they are applicable to diverse meanings and many rulings. Thus, the *Sharī'ah* texts are the most fertile ground for producing the general principles (*qawaid 'Aammah*).

This is the reality of the *Sharī'ah* texts from the legislative viewpoint. Also when we include the fact that these texts have come for human kind in their capacity as human beings and that they are a legislation for all nations and peoples, it becomes clear that the presence of *Mujtahiddin* is essential; to understand these texts legislatively and apply them in all ages and to derive the *Sharī'ah* rule for each incident.

New events take place every day and they are innumerable. The *mujtahid* must deduce the ruling of Allah ﷻ for each event that takes place otherwise the events will remain as they are without knowledge of the ruling of Allah ﷻ with regards to them, and this is not allowed.

Ijtihād is a *fard* of sufficiency (*fard 'ala al-kifaya*) on the Muslims. If some undertake it then the rest are absolved from the sin. If no one performs it then all of the Muslims are sinful in the period when there are no *mujtahids*. Therefore, it is absolutely not allowed for any age to be devoid of a *mujtahid* because understanding the deen and *Ijtihād* is a *fard* of sufficiency, where if everybody agrees to leave it they will be sinful. Even if it was allowed for an age to be devoid of someone who will undertake it, then the people of that time will have to agree on misguidance, that is, on the abandonment of adopting the rules of Allah ﷻ and this is not allowed. Not to mention the fact that the method of knowing the *Sharī'ah* rules is only via *Ijtihād*. If an age is devoid of a *mujtahid* on whom people could rely to gain knowledge of the rules, it will lead to the suspension of the *Sharī'ah* and wiping out of the rules, and this is not allowed.

The *mujtahid* exerts his utmost to derive the rule. If he is correct in his *Ijtihād* then he has two rewards and if he makes a mistake he will have one. He ﷺ said:

﴿إذا حكم الحاكم فاجتهد، ثم أصاب فله أجران، وإذا حكم فاجتهد ثم أخطأ فله أجر واحد﴾

"If a judge passes judgment and makes Ijtihād and he is right then he will have two rewards. And if he makes a mistake he will have one."

[Reported by Bukhari & Muslim]

The *Sahabah* formed an *ijma'* (consensus) that the sin is taken off from the *Mujtahiddin* in the *Sharī'ah* rules in terms of the speculative *fiqhi* (jurisprudential) issues. As for the definite issues such as the obligation of the worships, prohibition of fornication and murder there is no *Ijtihād* or dispute with respect to them. That is why the *Sahabah* ﷺ disagreed on the speculative issues and not on the definite issues.

The *mujtahid* in the speculative issues is correct in what he has arrived at by his *Ijtihād* even if he is liable to make a mistake in his opinion. However, being correct does not mean that he has hit the true target because this does not agree with the reality of a speculative rule since the Messenger ﷺ called him a *mukhti'* (one who has made a mistake). Rather what is meant by saying that the *mujtahid* is right is in terms that do not rule out a mistake and not in terms of hitting the true target (*isaba*) which is the opposite of mistake. So describing someone who makes a mistake in *Ijtihād* as right (*musib*) is in the meaning that the text rewards the *mujtahid* even when he makes a mistake and not in the sense that he did not make a mistake. Therefore, every *mujtahid* is right according to what he thinks is right which does not rule out mistake. It is in terms of getting it right and not in terms of hitting the true target.

The Conditions of *Ijtihād*

Ijtihād has been defined as the expenditure of effort, seeking the (preponderate) opinion about a thing from the *Sharī'ah* rules in a manner in which the *mujtahid* feels unable to exert any more i.e, it is the comprehension of the *Sharī'ah* text from the Qur'ān and the Sunnah after exerting ones outmost in arriving at this comprehension in order to gain cognizance of the *Sharī'ah* rule. This means three issues need to be fulfilled in the inference (*istinbat*) of the *Sharī'ah* rule until it can be said he has made the inference with a legitimate *Ijtihād* that is, three issues have to be met until the action can be called an *Ijtihād*: First, exerting effort in a manner he feels himself unable to exert any more. Second, this exertion should be in search for a preponderate opinion about an issue from the *Sharī'ah* rules. And third, this opinion about an issue should be from the *Sharī'ah* texts because seeking a thing from the *Sharī'ah* rules is not possible if it is not from the *Sharī'ah* texts and that is because the *hukm Shar'i* is the address of the Legislator regarding the actions of the servants. This means the one who does not exert effort he is not considered a *mujtahid*. And whoever exerts effort seeking the (preponderate) opinion in other than the *Sharī'ah* rules from disciplines and views, he is not considered a *mujtahid*. And whoever seeks an opinion from the *Sharī'ah* rules from other than the *Sharī'ah* texts he is not considered a *mujtahid*. So the *mujtahid* is restricted in what he exerts his utmost effort in understanding the *Sharī'ah* texts on order to know the *hukm* of Allah ﷻ. Anything other than that in terms of the *Ulama*; who explain the sayings of the *imam* of their *mazhab* (school of thought), attempt to comprehend his sayings and deduce rulings from it, or outweigh the opinion of some *Ulama* over the opinion of others without the medium of the *Sharī'ah* evidences etc, None of them are considered *mujtahids* according to this definition. The order of *Ijtihād* is restricted to the comprehension of the *Sharī'ah* texts after exerting the utmost effort in the path of arriving at this comprehension in order to know the *hukm* of Allah ﷻ. So the *Sharī'ah* texts are the object of comprehension and they are the object of seeking the opinion about a thing from the *Sharī'ah* rules.

What should be clear is that the *Sharī'ah* texts are the Quran and the Sunnah and none other. Any other text is not considered a *Sharī'ah* text whatever the status of the one who said it. So the sayings of Abu Bakr ﷺ, 'Umar ﷺ, Ali ﷺ or any other from the *Sahabah* ﷺ are not considered as *Sharī'ah* texts in any way whatsoever. Likewise the statements of *Mujtahidin* such as Ja'far, al-Shafi'i, Malik and other *Mujtahidin* are not considered *Sharī'ah* texts at all. So exerting effort in deducing a rule, from the statements of those people or any other human being whoever they may be is not considered *Ijtihād*. Rather it is considered as the opinion of the person himself who made the inference and it has no value in the *Sharī'ah*. Not to mention that the deduction of a *hukm* from the saying of any individual from the *Sahabah*, *Tabi'een*, *Mujtahidin* and others is not allowed by the *Sharī'ah* since it is an inference of a *Sharī'ah* rule from a source other than the Qur'ān and Sunnah. This is *harām* in the *Sharī'ah* because it is judging by other than what Allah ﷻ has revealed. And because what Allah ﷻ has revealed is restricted to the *Kitab* and Sunnah, any thing other than the Qur'ān and Sunnah is not from Allah's ﷻ revelation. So adopting a *hukm* from it is nothing more than adopting something Allah ﷻ has not revealed. And a *hukm* which is not according to what Allah ﷻ has revealed is definitely *harām*.

The Qur'ān and Sunnah are in the Arabic tongue. The *Kitab* and Sunnah have come as revelation from Allah ﷻ either in expression and meaning, such as the Qur'ān or in meaning only. The Messenger ﷺ expressed this meaning in his own words which is the *hadīth*. In any case they (i.e, the Qur'ān and Sunnah) are in the Arabic language in which the Messenger of Allah ﷺ spoke. It (i.e the speech) either has a linguistic meaning only such as '*mutrafin'*(affluent ones), or it has a *Sharī'ah* meaning only then the linguistic meaning is forgotten as with the word '*ghaʾit'*, or it has a linguistic and *Sharī'ah* meaning like the word '*tahara'* in examples of '*tahhara'* (to purify) and

'*mutahhirun'* (the purified ones). So, to understand it one has to depend on the linguistic and *Sharī'ah* disciplines until it is possible to understand the text and arrive at an understanding of the *hukm* of Allah ﷻ. Consequently, all conditions of *Ijtihād* revolve around those two things and they are: the availability of the linguistic and *Sharī'ah* disciplines. Since the dawn of Islam until the end of the second century *Hijri* the Muslims did not need specific principles to understand the *Sharī'ah* texts, nor from the linguistic or the *Sharī'ah* perspective and that is because of the closeness of their time to the Messenger of Allah ﷺ and because their only concern in life was the *deen*. This was also owing to the soundness of their linguistic disposition and the purity of their language. Therefore, there were no known conditions for *Ijtihād*. But *Ijtihād* as an issue was well known. And *mujtahidin* could be counted by the thousands. All of the *Sahabah* were *mujtahidin* and nearly most of the rulers, *walis* and judges were from the *mujtahidin*. However, as the Arabic language became corrupted specific principles were laid down to rectify it. And when the people became occupied by the *dunya* and the number of people devoted to (the study) of the *deen* decreased and mendacity in attributing *ahadīth* to the tongue of the Messenger ﷺ became widespread, principles were set down for abrogation (*nasikh* and *mansukh*), for the acceptance or rejection of *ahadīth*, to understand the manner of deducing the rule from the *ayah* and *hadīth*. When all of this happened the number of *mujtahids* decreased and the *mujtahid* began to proceed in his *Ijtihād* according to specific principles through which he arrived at specific inferences which differed with the principles of others. And these principles came to be established either through a lot of practise in deducing rules from the texts, as if they were set down for him to proceed only according to one path. Or he used to follow certain principles and then he began to deduce (rules) according to them. This resulted in the *mujtahid* exercising *Ijtihād* according to a specific methodology in understanding the *Sharī'ah* texts and in adopting the *Sharī'ah* rule from the *Sharī'ah* texts. And some *mujtahids* came to imitate a person in his method of *Ijtihād* but they did not imitate him in rules but they deduced the rules themselves according to that person's methodology. And some Muslims became well versed about a certain thing from the *Sharī'ah* disciplines and they exerted effort in seeking an opinion from the *Sharī'ah* rules in specific issues that were presented to them and not in all the issues. In reality due to this we find three types of *mujtahiddin* amongst Muslims: *mujtahid mutlaq* (one who performed absolute *Ijtihād*), *mujtahid mazhab* (*mujtahid* in a certain school of thought) and *mujtahid mas'ala* (*mujtahid* in a single issue).

As for the *mujtahid mazhab* he is someone who follows other *Mujtahiddin* in their methodology of *Ijtihād*, however he exercises *Ijtihād* in *ahkām* but does not imitate the *imam* of his school. There are no conditions for the *mujtahid mazhab* except having knowledge of the rules and evidences of the *mazhab* and he is allowed to follow the rules of the *mazhab* or disagree with them with his own opinion within the same *mazhab*. Due to this, it is allowed for the one who follows a *mazhab* to exercise *Ijtihād* within this *mazhab* and disagree with the *imam* of the *mazhab* in some rules and issues if an evidence appears to him to be stronger. It has been reported about the *imams* that they used to say:

"إذا صح الحديث فهو مذهبي واضربوا بقولي عرض الحائط"

If a *hadīth* is found to be authentic, then that is my *mazhab* and discard my saying at the wall'

One of the clearest examples for this is that of *imam* Ghazali who was a follower of the *Shafi'i mazhab*, but he had *Ijtihāds* in the *mazhab* of *Shafi'i* which contradicted the *Ijtihāds* of *al-Shafi'i* himself.

The second is the *mujtahid mas'ala*. He has no specific conditions or method. However, it is allowed for whoever has knowledge of some of the *Sharī'ah* and linguistic disciples which enables him to understand the *Sharī'ah* texts, to exercise *Ijtihād* in a single issue. So it is allowed for him, in a single issue, to study the views and evidences of *mujtahiddin*, and their line of reasoning and from that he can reach a specific understanding of the *hukm Shar'i* which he presumes with the

least amount of doubt to be the *hukm Shar'i* whether it agrees with the opinion of the *Mujtahiddin* or disagrees with it. In a single issue it is allowed for him to study the *Sharī'ah* evidences and understand from it what he deems with least amount of doubt to be the *hukm Shar'i* whether this issue has been previously studied by the *Mujtahiddin* or not. It suffices for the *mujtahid* in a single issue to be knowledgable about whatever relates to that issue, and it is essential that he is cognizant of that, but there is no harm if he is unaware of issues not related to it, from matters related to *Usul* and *fiqh* (jurispudence).

And besides the state of affairs that took place in the days of the *Sahabah* ﷺ and *Tabi'een* and what happened after the *mazhabs* and *imams* there were people who used to understand the *Sharī'ah* texts and deduce rules from them directly without any conditions as was the case in the time of the *Sahabah*. There were people who continued as followers of a specific *mazhab* but they had *Ijtihāds* that went against the opinion of their *imam*. So the reality of what happened meant that the *mujtahid mazhab* and *mujtahid mas'ala* did have a presence. This is in terms of the reality of what happened. As for the *Ijtihād* itself, it can be divided into parts. It is possible, therefore, for someone to be a *mujtahid* in some texts and not in others. As for the opinion of some people who say that the capacity for *Ijtihād* is obtained when the person is cognizant of all the recognised disciplines there is no basis for this definition and it does not accord with the reality, since a person may acquire the capacity but not be a *mujtahid* because he has not set himself the hardship of studying the issue because aptitude (*malaka*) denotes the strength of understanding and linkage. This can be obtained by someone who is exceptionally intelligent with some knowledge of the linguistic and *Sharī'ah* disciplines and does not need to encompass the linguistic and *Sharī'ah* disciplines. A grasp of the *Sharī'ah* and linguistic disciplines may be present as knowledge due to study and instruction but the aptitude (*malaka*) may not be present in this scholar because of the absence of thinking. However, *Ijtihād* is a tangible process with tangible results, which is, exerting effort practically in arriving at a *hukm*. As for the presence of aptitude it is not designated as *Ijtihād*. Thus, a person is able to perform *Ijtihād* in some issues and not in others. He may be able to make *Ijtihād* in the branches (*furu'*) but not in other areas. Therefore, it is clear that *Ijtihād* is divided into parts but sectioning of *Ijtihād* does not mean the divisibility if *Ijtihād* in that a *mujtahid* is able to perform *Ijtihād* in some subject areas of Islamic jurisprudence but not able in others. Rather the meaning of dividing *Ijtihād* is the possibility of comprehending some evidences due to their clarity and absence of vagueness. And the inability of understanding evidences is due to their depth and complexity and the presence of various evidences which seem contradictory. They may happen in the foundational principles (*qawa'id usuliyya*) or in the *Sharī'ah* rules. So the division of *Ijtihād* is with respect to the ability to deduce and not with regards to the subject areas of jurisprudence (*fiqh*).

All of this is with regards to the *mujtahid mazhab* and *mujtahid mas'ala*. As for the *mujtahid mutlaq*, he is anyone who performs *Ijtihād* in the *Sharī'ah* rules and in the method of his inference of the *Sharī'ah* rules whether he had a specific method, as it is the case in some schools, or not. But he proceeds naturally in a specific manner of comprehension to deduce rules as was the case of the *mujtahiddin* in the time of the *Sahabah* ﷺ. Ever since the Arabic language became corrupted and people ceased to devote themselves to understanding the deen, it became inevitable that the *mujtahid mutlaq* fulfil conditions in order to become a *mujtahid mutlaq*. Consequently, they took the opinion that the *mujtahid mutlaq* does have conditions and the most important of which are the following two conditions:

First: knowledge of textual evidences (*adilla sam'iyya*) from which principles and rules have been extracted.

Second: knowledge of aspects of textual implication (*dalāla al-lafẓ*) which are relied upon in the Arabic tongue and by the people of eloquence (*balaghaa*).

As for textual evidences, their consideration are referable to the Qur'ān and Sunnah and *Ijma'*, and the ability to compare and reconcile evidences and outweigh the stronger evidence over other evidences when they contradict. This is because the evidences may seem competing to the *mujtahid* and he sees them all mentioned as regarding the same issue, and each of them demands a *hukm* other than what the other evidence demands. So he is required to examine the aspects by which a facet of one of the evidences is outweighed in order to rely upon it in deciding the *hukm*. For example He ﷻ said:

﴿وَأَشْهِدُوا ذَوَيْ عَدْلٍ مِنْكُمْ﴾

"*And take for witness two just persons from among you (Muslims)"*

[TMQ Talaaq: 2]

And He ﷻ said:

﴿اثْنَانِ ذَوَا عَدْلٍ مِنْكُمْ أَوْ آخَرَانِ مِنْ غَيْرِكُمْ﴾

"*Then take the testimony of two just men of your folk or two others from outside"*

[TMQ Mā'idah: 106]

Both *ayāt* are about giving testimony. The first states that the witnesses should be from the Muslims. The second states that they should be from Muslims and from non-muslims. i.e, the first *ayah* stipulates that the witness be a Muslim while the latter permits the witness to be a non-muslim. It is essential to know the way in which they are reconciled that is, it is essential to know that the first *ayah* is unrestricted (*mutlaq*) with regards to testimony and the second restricts (*muqayyad*) the testimony of bequests (*wasiyya*) on journeys. It must be known that the second *ayah* permits the testimony of non-muslims at the time of the bequest and the like in terms of commercial transactions. It is by greater reason that this should be the case in other things. As well, those two verses indicate that the evidence should be (from) two just witnesses. It is supported by another *ayah* which is the saying of Allah ﷻ:

﴿وَاسْتَشْهِدُواْ شَهِيدَيْنِ من رِّجَالِكُمْ فَإِن لَّمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتَانِ..﴾

"*And get two witnesses out of your own men. And if there are not two men (available), then a man and two women"* [TMQ Baqarah: 282]

How does that fit in with what has been established in the *Sahih* (of Bukhari) about the Prophet ﷺ that he accepted the testimony of one woman in regard to fosterage (*rada'a*)? And that he accepted the testimony of a single witness with an oath of the plaintiff? Narrated by Ibn 'Abbas:

﴿أن رسول الله قضى بيمين وشاهد﴾

"That the Messenger of Allah ﷺ pronounced judgement on the basis of an oath along with a single witness" [Reported by Muslim]

In another *Hadith* which is narrated by Jabir:

﴿أن النبي ﷺ قضى باليمين مع الشاهد الواحد﴾

'That the Prophet ﷺ pronounced Judgement on the basis of an oath along with a single witness" [Reported by Tirmizi]

It is narrated by *Amir al-Mu'minin* 'Ali ibn Abi Talib:

﴿أن النبي ﷺ قضى بشهادة شاهد واحد ويمين صاحب الحق﴾

"That the Prophet ﷺ passed judgement on the basis of a testimony of a single witness and an oath of the plaintiff (sahib al-Haqq)"

[Reported by Sunan Bayhaqi]

It seems that there is a contradiction between the evidences. However the *mujtahid* who scrutinises the issue finds that what the *ayah* and the *ahadith* mention is the most complete number in testimony. If the complete number is not met it does not mean any other number is not accepted, since the *nisab* (number) concerns taking up the responsibility of testimony. As for the judge's discharging of his duty and ruling, the number of witnesses has not been stipulated but what is stipulated is the proof, which is whatever will demonstrate the truth even by the testimony of a single woman or single man along with the oath of the plaintiff (*sahib al-haqq*). However, if the *Shari'ah* text has come specifying the number of witnesses as in the testimony for fornication, then it is restricted by the text. Also, the Prophet ﷺ rejected the *Mushrikin* at the battle of *Uhud*. He did not accept them to participate with the Muslims in the battle. He ﷺ said:

﴿فإنا لا نستعين بمشرك﴾

"We do not seek the help of the disbelievers" [Musnad Ahmad]

But he accepted the help of the *Mushrikin* at *Hunayn*. How are those two evidences to be reconciled? The *mujtahid* should know that the Messenger ﷺ did not accept the *Mushrikin* at *Uhud* and refused to seek their help because they wished to fight under their own banner since they came distinguishing themselves with it. So his refusal has an '*illah* (reason), which is that they were fighting under their own banner and state. He ﷺ accepted and sought their help in *Hunayn* because they fought under the banner of the Messenger ﷺ. The '*illah* of refusing to seek help from them is absent so seeking help is allowed. And with this clarification and other such examples the conflict of evidences cease.

So the ability to comprehend the textual evidences and to compare them is a basic condition. Consequently, the *mujtahid mutlaq* must be conversant with discernment of the *Shari'ah* rules and their divisions, ways of establishing them, aspects of their textual implications from their meanings (*wujuh dalalatiha ala madlulatiha*,) difference of levels and recognised conditions. And he must know the angles of outweighing them when they contradict. This obliges him to be acquainted with transmitters (*ruwwa*), methods of invalidation and attestation (*jarh wa ta'dil*), and he should be familiar with the causes of revelation (*asbab nuzul*) and abrogation (*nasikh wa mansukh*) in the texts.

As for knowing the aspects of textual implications (*dalala al-lafz*), this requires knowledge of the Arabic language. Through the knowledge of Arabic, one is able know the meaning of expressions, and aspects of their eloquence and implications, and knowledge of the current disagreement over the same word until it is referred to trustworthy narrators and to what the lexicographers/philologists say about it. It is not sufficient to know from the dictionary that *qur'* indicates a state of purity and menstruation and that *nikah* denotes intercourse and contract of marriage. He should have knowledge of the Arabic language in a general manner in terms of the grammar, inflection, rhetoric and idioms etc. This will enable him to study the connotation of a single expression and sentence according to the language of the Arabs and usage of the people of eloquence, which will enable him to check the books about the Arabic language and understand from it what he needs to understand. However this does not mean he should be a *mujtahid* in the branches of the language. It is not stipulated that he be proficient in language like al-Asma'i and proficient in grammar as Sibawayh. Rather it is sufficient for him to be knowledgeable about linguistic style so that he can distinguish between indications of expressions (*dalala al-alfaz*), sentences and style such as *mutabiqa* (conformity/harmony), *tadmin* (implication) *haqiqa* (literal), *majaz* (metaphorical), *kinaya* (metonymy), *mushtarak* (homonym, *mutaradif* (synonym) etc. In short,

the level of absolute *Ijtihād* (*Ijtihād mutlaq*) cannot be attained except by someone who is characterised by two attributes: Firstly, the comprehension of the objectives (*maqasid*) of the *Sharī'ah* by understanding the textual evidences. Secondly, the comprehension of the Arabic language and the connotation of its expressions and sentences and styles. Through this it is possible to deduce rulings based on its understanding. Being a *mujtahid* does not mean he should encompass every text and be able to deduce any *hukm*, since the *mujtahid mutalq* may be a *mujtahid* in many issues reaching the level of absolute *Ijtihād.* And even if he does not know some issues external to it, it is not a condition of the *mujtahid mutlaq* that he should be cognizant of all issues, all rules of issues and their discernment. Consequently, so the presence of a *mujtahid mutlaq* is not a difficult matter rather it is possible and feasible if one is truly determined. The level of *mujtahid mas'ala* is possible for all to attain after learning what is essential from the linguistic and *Sharī'ah* disciplines.

Taqlīd

Taqlīd linguistically is following others without scrutiny. It is said

'قلده في كذا'

'He imitated him in such and such'

That is, he followed him without scrutiny or examination. Legally, *Taqlīd* is acting according to the statements of others without binding proof, Such as the layman's adoption of the opinion of a *mujtahid* or the *mujtahid's* adoption of the opinion of someone similar to him. *Taqlīd* (imitation) in *'aqīdah* (creed) is not allowed because Allah ﷻ has censured the *muqallids* (imitators) in *'aqīdah*. He ﷻ said:

﴿وَإِذَا قِيلَ لَهُمُ اتَّبِعُوا مَا أَنزَلَ اللّهُ قَالُواْ بَلْ نَتَّبِعُ مَا أَلْفَيْنَا عَلَيْهِ آبَاءنَا أَوَلَوْ كَانَ آبَاؤُهُمْ لاَ يَعْقِلُونَ شَيْئاً وَلاَ يَهْتَدُونَ﴾

"*When it is said to them: " Follow what Allah has sent down." They say: " Nay! We shall follow what we found our fathers following." (Would they do that !) Even though their fathers did not understand anything nor were they guided ?*"

[TMQ Baqarah: 170]

And He ﷻ said:

﴿وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَى مَا أَنْزَلَ اللَّهُ وَإِلَى الرَّسُولِ قَالُوا حَسْبُنَا مَا وَجَدْنَا عَلَيْهِ آبَاءَنَا أَوَلَوْ كَانَ آبَاؤُهُمْ لَا يَعْلَمُونَ شَيْئًا وَلَا يَهْتَدُونَ﴾

"*When it is said to them: "Come to what Allah has revealed and unto the Messenger (Muhammad (saw) for the verdict of that which you have made unlawful)."They say: "Enough for us is that which we found our fathers following," even though their fathers had no knowledge whatsoever and no guidance*" [TMQ Mā'idah: 104]

As for *Taqlīd* in the *Sharī'ah* rules it is legally permitted for every Muslim. He ﷻ said:

﴿فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ ﴾

"*So ask the people of the Reminder if you do not know"* [TMQ Anbiyaa: 7]

He ﷻ has ordered the one who does not have the knowledge to ask the one who is more knowledgeable than him even though it was revealed as a refutation of the *Mushrikin* for their rejection of the Messenger ﷺ being a human being. However, its wording is general and the consideration is for the generality of the wording and not the specificity of the cause (*al-'ibra bi 'umum al-lafẓ laa bi khususiyyat al-sabab*). It is not about a specific subject such that it is said it is specific to this subject. The *ayah* is general about the request from those who do not know to ask those who know. Since it requests the *mushrikin* to ask the people of the Book, to teach them that Allah ﷻ has not sent to the preceding nation's messengers except human beings. They used to be ignorant of this information so He ﷻ ordered them to ask those who know. The *ayah* says:

﴿وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رِجَالًا نُوحِي إِلَيْهِمْ فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ﴾

"*And We sent not before you (O Muhammad (saw)) but men to whom We inspired, so ask the people of the Reminder if you do not know"*

[TMQ Anbiyaa:7]

The word *'fas'alu'* (ask !) has come in a general manner, i.e, ask in order to learn that Allah ﷻ has not sent anyone to the preceding nations other than human beings. It is related to knowledge and not to belief (*imān*). The people of *zikr* (rememberance), even though the aforementioned in the verse are the people of the book, but the term has also come in a general manner and it includes all people of *zikr*. The Muslims are the people of *Zikr* because the Qur'ān is a *Zikr*. He ﷻ said:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"And We have also sent down to you (O Muhammad [sal-Allâhu 'alayhi wa sallam]) the Dhikr [reminder and the advice (i.e. the Qur'ân)], that you may explain clearly to men what is sent down to them" [TMQ Nahl: 44]

So those who know the *Shari'ah* rules they are the people of *Zikr* whether they have knowledge from *Ijtihād* or acquired knowledge. The *muqallid* only asks for the ruling of Allah ﷻ in an issue or issues. Therefore, the *ayah* indicates the permissibility of practising *Taqlīd*.

أن رجلاً أصابه حجر فشجّه في رأسه ثم احتلم فسأل أصحابه هل تجدون لي رخصة في التيمم؟ قالوا ما نجد لك رخصة وأنت تقدر على الماء فاغتسل فمات

"A man was struck by a stone that fractured his skull. Then he had a wet dream. He asked his companions - do you know of a permit (*Rukhsa*) for me to perform *Tayammum* (dry ablution)? - They said - we do not find any permit for you and you can use water. He then had a bath and died.

The Prophet ﷺ said:

﴿إنما كان يكفيه أن يتيمم ويعصب على رأسه خرقة فيمسح عليها ويغسل سائر جسده﴾

'Verily, it would suffice for him to make tayammum, tie a piece of cloth around his head and wipe over it and wash the rest of his body.'

And he ﷺ said:

﴿ألا سألوا إذ لم يعلموا، إنما شفاء العي السؤال﴾

"Why did they not ask when they did not know. Indeed, the cure for incompetence is to ask"

The Messenger ﷺ instructed them to ask about the *hukm Shar'i*. It has been authentically reported that al-Sha'bi said: There were six companions of the Messenger of Allah ﷺ who used to deliver legal opinions to the people. Ibn Mas'ud, 'Umar ibn al-Khattab, 'Ali ibn Abi Talib, Zayd ibn Thabit, Ubayy ibn Ka'b, and Abu Musa. Three used to leave their opinion for the opinion of the other three. 'Abd Allah used to leave his opinion for 'Umar's opinion and Abu Musa used to leave his opinion for the opinion of 'Ali and Zayd used to leave his opinion for the opinion of Ubayy ibn Ka'b. This also indicates that the Muslims used to imitate (*Taqlīd*) the *Sahabah* ﷺ and some of them used to imitate each other.

As for what has been mentioned in the Qur'ān in terms of the censure for *Taqlīd*. This is a censure for imitation in belief and not in the adoption of the *Sharī'ah* rules. Because, the subject matter of the verses is belief. Its text is specific to the subject of belief and they have no '*illah*. So the saying of Allah ﷻ:

﴿وَكَذَلِكَ مَا أَرْسَلْنَا مِنْ قَبْلِكَ فِي قَرْيَةٍ مِنْ نَذِيرٍ إِلَّا قَالَ مُتْرَفُوهَا إِنَّا وَجَدْنَا آبَاءَنَا عَلَى أُمَّةٍ وَإِنَّا عَلَى آثَارِهِمْ مُقْتَدُونَ . قَالَ أَوَلَوْ جِئْتُكُمْ بِأَهْدَى مِمَّا وَجَدْتُمْ عَلَيْهِ آبَاءَكُمْ﴾

"*And similarly, We sent not a warner before you (O Muhammad (saw)) to any town (people) but the luxurious ones among them said: "We found our fathers following a certain way and religion, and indeed we will indeed follow their footsteps." (The warner) said: "Even if I bring you better guidance than that which you found your fathers following?"* [TMQ Zukhruf: 23-24]

And His ﷻ saying:

﴿إِذْ تَبَرَّأَ الَّذِينَ اتُّبِعُواْ مِنَ الَّذِينَ اتَّبَعُواْ وَرَأَوُاْ الْعَذَابَ وَتَقَطَّعَتْ بِهِمُ الأَسْبَابُ ۞ وَقَالَ الَّذِينَ اتَّبَعُواْ لَوْ أَنَّ لَنَا كَرَّةً فَنَتَبَرَّأَ مِنْهُمْ كَمَا تَبَرَّؤُواْ مِنَّا كَذَلِكَ يُرِيهِمُ اللّهُ أَعْمَالَهُمْ حَسَرَاتٍ عَلَيْهِمْ وَمَا هُم بِخَارِجِينَ مِنَ النَّارِ﴾

"*When those who were followed, disown (declare themselves innocent of) those who followed (them) , and they see the torment, then all their relations will be cut off from them. When those who followed will say: "If only we had one more chance to return (to the worldly life), we would disown (declare themselves ourselves as innocent from) them as they have disowned (declared themselves as innocent from) us." Thus Allah will show them their deeds as regrets for them. And they will never get out of the Fire.*"

[TMQ Baqarah: 166-167]

And His ﷻ saying:

﴿مَا هَذِهِ التَّمَاثِيلُ الَّتِي أَنْتُمْ لَهَا عَاكِفُونَ ۞ قَالُوا وَجَدْنَا آبَاءَنَا لَهَا عَابِدِينَ﴾

"*What are these images, to which you are devoted? They said: "We found our fathers worshipping them.*"
[TMQ Anbiyaa: 52]

These verses are texts about the subject of belief (*imān*) and disbelief (*kufr*) and nothing else. This text does not include any '*illah* (reason) and nor is there any reasoning found in any other text. Therefore, it should not be said that the consideration is for the generality of the wording and not for the specificity of the cause. This (principle) is correct with respect to the cause (*sabab*). It is the event which was the cause of revelation but it is not correct in regard to the subject matter of the verse. The consideration is for the subject of the verse. And the generality ('*umum*) is restricted to the subject of the verse only. It is general in regards to everything that the meaning of the verse includes in terms of the subject and not in regards to everything that the verse does not include. Nor should it be said that it is regarding belief and disbelief, rather it is proper to interpret it as applicable to the *muqallidin* considering that the *hukm* revolves around an '*illah* whether it was present or absent. This cannot be claimed since no '*illah* can be found in the *ayah* and no '*illah* can be found for the *ayah*. The reason is that it does not include any justification and nor is there any justification revealed for it in any of the text's of the Qur'ān and the Sunnah. Therefore no text can be found which prohibits *Taqlīd*. Rather the texts and the reality of the Muslims in the time of the Messenger ﷺ and the *Sahabah* ﷺ and the reality of the *Sahabah* ﷺ all indicate the permissibility of practising *Taqlīd*.

Taqlīd is applicable to the follower (*muttabi'*) and to the layman ('*ammi*) both. This is because Allah ﷻ has defined *Taqlīd* as following the opinion of someone else. He ﷻ said:

﴿إِذْ تَبَرَّأَ الَّذِينَ اتُّبِعُوا مِنَ الَّذِينَ اتَّبَعُوا﴾

"*When those who were followed, disown (declare themselves innocent of) those who followed (them)"* [TMQ Baqarah: 166]

And because the *hukm Shar'i* that a person adopts, either he has deduced it himself or it has been deduced by someone else, If he himself deduces it then he is a *mujtahid* and if someone else deduces it and he adopts it then he has adopted the opinion of someone else i.e, followed the opinion of someone else. And following the opinion of someone else is *Taqlīd* whether he adopted without a proof or with a non-binding proof. The *muttabi'* (follower) therefore is a *muqallid*. As well, *ittiba'* (following someone else) means that you follow the opinion of a *mujtahid* based on what has become clear to you in terms of evidence without you passing judgement on this evidence that is, without you being bound by this proof. If you pass judgement on the evidence and you know the manner of deducing the *hukm* from it and you agree to the inference of the *hukm* and the *hukm* itself then the proof on which the *hukm* rests has become binding on you. Then your opinion has become like the opinion of the *mujtahid*. You are in this case a *mujtahid* and not a *muqallid*. From this it becomes clear that *ittiba'* (following) is *Taqlīd* and that the follower (*muttabi'*) is a *muqallid* even though he knows the evidence.

The reality of *Taqlīd*

The definition of *Taqlīd*, linguistically and legally, indicates that anyone who follows others in a matter will be a *muqallid*, so the subject matter is 'following others'. Therefore, there are two types of people with respect to the knowledge of the *Sharī'ah* rules: The first is the *mujtahid* and the second is the *muqallid* and there is no third. Since, the reality of the man is that he either adopts what he has arrived at himself by his *Ijtihād* or what someone else has arrived at by *Ijtihād*. The issue is limited to these two cases. Therefore, anyone who is not a *mujtahid* is a *muqallid* of whatever category. The issue in *Taqlīd* is the adoption of the rule from others irrespective of whether the one who adopted is a *mujtahid* or not a *mujtahid*. It is allowed for the *mujtahid* to imitate other *Mujtahiddin* in a single matter even if he himself was qualified to do *Ijtihād*. Then, he will be considered a *muqallid* in this issue. Thus, in a single *hukm* the imitator (*muqallid*) may or may not be a *mujtahid*. The same person may be a *mujtahid* and he may be a *muqallid* at the same time.The *mujtahid* when he comes to obtain a complete competence for *Ijtihād* in one of the issues, if he performs *Ijtihād* on it and his *Ijtihād* leads him to the *hukm*, he is not allowed to imitate other *mujtahiddin* in a matter contrary to what his *Ijtihād* has led him to. It is not allowed for him to leave his opinion in this matter except in four cases:

First: When it appears that the evidence on which he relied in his *Ijtihād* is weak (*da'if*) and the evidence of another *mujtahid* is stronger than the evidence he used. In such a case he is obliged to leave the rule to which his *Ijtihād* had led to and adopt the rule which is evidentially stronger. It is forbidden for him to continue on the first rule which he had reached by his *Ijtihād*. He should not be prevented from adopting the new rule simply because the new *mujtahid* was the only one to hold such an opinion or because this rule has not been espoused by anyone before. That goes against *taqwa* (the fear of Allah ﷻ), because what matters is the strength of the evidence and not the number of people that have held it or how ancient they are. How many an *Ijtihād* of the *Sahabah* ﷺ there were whose error later became apparent to the *Tabi'een* or *Tabi'-Tabi'een*. When the weakness of the *mujtahid's* evidence, and the strength of someone else's evidence becomes apparent through outweighing (*tarjeeh*), without considering all of the evidences and the inference from them, then in such a situation, he will be considered a *muqallid*, because he has adopted the opinion of someone else by outweighing (*tarjeeh*). His example is that of the *muqallid* who is confronted with two rules, so he gave preponderance to one of them according to a *Shari'ah* qualification (*murajjih Shar'i*). If the weakness of his evidence and the strength of someone else's evidence becomes apparent through judgement (*muhakama*) and pursuance of evidences and inference (*istinbat*) and through this he arrives at an opinion which is the opinion of another person. In that case he is not a *muqallid* but a *mujtahid* to whom the incorrectness of the initial *Ijtihād* became apparent. So he retracts from it to another opinion which he has deduced himself as happened with *al-Shafi'i* in a number of cases.

Second: When it appears to a *mujtahid* that another *mujtahid* has a greater capacity to link or has better awareness of the reality, or stronger comprehension of the evidences or is more acquainted with the textual evidences (*adilla sam'iyya*) etc. And it becomes preponderate to him that the other *mujtahid* is closer to the truth in understanding a specific issue or issues as they are. It is allowed for him in this case to leave the rule he has reached through his *Ijtihād* and follow the other *mujtahid* in whose *Ijtihād* he has more confidence than his own. It has been correctly reported on the authority of al-Sha'bi that Abu Musa used to leave his opinion for the opinion of 'Ali. And that Zayd used to leave his opinion for Ubay ibn Ka'b's opinion, and that Abdullah Ibn Masud used to leave his opinion for the opinion of 'Umar. Incidents have been reported about Abu Bakr and 'Umar that they used to leave their opinion for the opinion of 'Ali. This indicates the retraction of a *mujtahid* from his opinion for the opinion of someone else based on his trust

in the *Ijtihād* of the other *mujtahid*. However, this is a permission for the *mujtahid* and not obligatory.

Third: If the *Khalifah* adopts a rule which conflicts with the rule arrived through his *Ijtihād*. In such an event he is obliged to leave the rule arrived at by his *Ijtihād* and take the rule which the *imam* (leader) has adopted and this is because the *Ijma'* of the *Sahabah* has been concluded that

"أمر الإمام يرفع الخلاف"

'The decree of the imam raises the disputes'

and that his decree is to be implemented on all Muslims.

Fourth: If there is an opinion by which it is intended to unify the Muslims, for the good of the Muslims, in such a situation it is allowed for the *mujtahid* to leave what he reached by his *Ijtihād*, as happened with Uthman when he was given the *bay'a*. It has been reported that Abdur-Rahman ibn 'Awf, after he had consulted the people individually and in groups, together and separately, secretly and openly, he gathered the people in the Mosque, ascended the pulpit and made a long supplication. He then called 'Ali and took hold of his hand and said: Do you pledge to me that you will rule according to the Book of Allah ﷻ and the Sunnah of His Messenger ﷺ and the opinions held after him ﷺ by Abu Bakr And 'Umar? Ali said: I pledge to you on the basis of the Book of Allah ﷻ and the Sunnah of His Messenger ﷺ, but I will exercise my own *Ijtihād*. So he let go of his hand and called for 'Uthman and said to him: Do you pledge to me that you will rule according to the Book of Allah ﷻ and the Sunnah of His Messenger ﷺ and the opinions held after him ﷺ by Abu Bakr And 'Umar? 'Uthman said: By Allah, Yes! So Abdur-Rahman raised his head towards the roof of the Mosque, his hand in Uthman's hand, and said three times: O Allah ﷻ, hear and bear witness! Then he gave him the pledge and the people thronged to the mosque to give *bay'a* to him making Ali having to push his way through the people until he gave his pledge to 'Uthman. Thus, Abdur-Rahman demanded from a *mujtahid*, 'Ali and 'Uthman, to leave his *Ijtihād* and follow the *Ijtihād* of Abu Bakr and 'Umar in all issues, whether he has exercised his own *Ijtihād* regarding them and has an opinion which contradicts the opinion of both or one of them, or he has not exercised *Ijtihād* yet. The *Sahabah* ﷺ concurred with this and they gave *bay'a* to 'Uthman on that basis. Even 'Ali who refused to leave his *Ijtihād*, gave *bay'a* to 'Uthman on that basis. However, this is permitted for the *mujtahid* and not obligatory, as evidenced by 'Ali's refusal to leave his *Ijtihād* for the *Ijtihād* of Abu Bakr and 'Umar. No one rebuked him for that, which indicates that it is permitted and not obligatory.

All of this is with respect to the *mujtahid* who has actually exercised *Ijtihād* and his *Ijtihād* has led him to a rule on an issue. As for the *mujtahid* who has not exercised *Ijtihād* on an issue, it is allowed for him to follow other *mujtahidin* and not make *Ijtihād* on the issue, since *Ijtihād* is an obligation of sufficiency (*fard 'ala al-kifaya*) and not an individual obligation (*fard 'ayn*). If he knows the rule of Allah ﷻ on an issue, then it is not an obligation on the *mujtahid* to make *Ijtihād* with regards to it. It has been correctly reported about 'Umar that he said to Abu Bakr:

'رأينا تبعٌ لرأيك'

'We hold opinions in accordance with your opinion.'

It has also been correctly reported about 'Umar that when he found himself completely at a loss to find in the Qur'ān and Sunnah what was needed when two disputing parties come to him, that he would see if Abu Bakr had a decision in the matter. If he found that Abu Bakr had passed a certain judgement on the issue he would pass the same judgement. It has been authentically reported about Ibn Mas'ud ﷺ that he used to adopt the opinion of 'Umar ﷺ. That used to take

place before the eyes and ears of the *Sahabah* ﷺ in numerous incidents and no one objected. Thus, it became a tacit *ijma'* (*ijma' sukuti*).

This is the reality of the *mujtahid's* practise of *Taqlīd*. As for the *Taqlīd* of the *non-mujtahid* whether he is a learned person or a layman (*'aammi*), when he faces an issue, he is not permitted to do anything other than ask about it because Allah ﷻ did not enslave (make them to worship him) the creation through ignorance, rather, He ﷻ enslaved them (made them worship him) through knowledge. He ﷻ said:

﴿وَاتَّقُوا اللَّهَ وَيُعَلِّمُكُمُ اللَّهُ﴾

"*So fear Allah; and Allah teaches you*" [TMQ Baqarah: 282]

i.e, Allah ﷻ teaches you whatever the case may be, so fear Him ﷻ. So the knowledge comes before the *taqwa* (fear of Allah), since the order to fear Allah ﷻ follows from the acquisition of knowledge in a natural order. This means that knowledge is acquired before involvement in the action. Just as when He ﷻ said:

﴿وَاتَّقُوا اللَّهَ﴾

"*Fear Allah"*,

it comes to the mind the question, what is *taqwa?* Thus, He ﷻ said: And Allah ﷻ teaches you so fear Him ﷻ. Therefore, knowledge must come before action. Thus, it is *fard* on the Muslim to learn the rules of Allah ﷻ which are necessary for action before he acts, since it is not possible for him to act upon it without knowledge. And this knowledge of the rules requires people to ask about them in order to adopt the rules and act upon them. And through this knowledge, he will follow that rule. He ﷻ said:

﴿فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ﴾

"*So ask the people of the Reminder (thikr) if you do not know"*

[TMQ Anbiyaa:7]

It is a general instruction to all the addressees (*mukhatabin*). And He ﷺ said in the *hadīth* about the person whose skull was fractured:

﴿ألا سألوا إذ لم يعلموا إنما شفاء العي السؤال﴾

"Indeed, the cure for incompetence is to ask".

This instruction continued to be general during the time of the *Sahabah*, where the *mujtahidun* used to be asked for legal opinions and be followed in the *Sharī'ah* rules. They would undertake the answering of questions without mentioning the evidence, and no one forbade them from doing that. All of this took place without any objection from anyone. Thus it was an *ijma'*. It was commonly practised by the Muslims also in the time of the *Tabi'een* and *tabi-Tabi'een*, and thousands of incidents have been reported to that effect.

Just as it is allowed for the learned person or layman to follow others in the *Sharī'ah* rule i.e, it is permitted to ask others, In a similar way, it is permitted for him to teach this *Sharī'ah* rule to others as he understands it, when he is sure that he has understood it correctly, and he has adopted this *Sharī'ah* rule to act upon it himself i.e, he is sure that it is a *Sharī'ah* rule. As for if he does not trust this rule due to his lack of confidence in the authenticity of the evidence or lack of trust in the character (*deen*) of the one who has taught it to him then it is not allowed for him to teach it to others in order to act upon it. If he has to say it, he should say what he knows about it

(rule). It is permitted for the one who learns a rule to teach it to others because anyone who has knowledge even of a single issue he is considered to be knowledgeable about that issue, when he has trust in his knowledge of the rule and in the truthfulness of what he has said about the issue. The concealment of knowledge is forbidden. He ﷺ said:

﴿مَنْ كتم علماً يعلمه أُلجم يوم القيامة بلجام من نار﴾

"Whosoever hides the knowledge which he knows, he will be restrained on the day of judgement with a bridle of fire"

[Reported by Ahmad on behalf of Abu Hurairah]

This is general and applicable to knowledge of a single or many issues.

However, the learned person (*muta'allim*) is not considered to be a follower (*muqallid*) of the one who has taught him the rule. Rather he is the *muqallid* of the *mujtahid* who has deduced the *Shari'ah* rule. And the learning of this rule is considered only as learning. Since *Taqlīd* can only be made to a *mujtahid* and not to someone who only has the knowledge of a rule. However much a *non-mujtahid* attains in terms of knowledge, it is not permitted to make *Taqlīd* to him in his capacity as learned person, because it is only permitted to learn from him, not make *Taqlīd* to him.

The *muqallid* is not given a choice when a difference of opinion arises, when for instance the *mujtahiddin* differ on two opinions. So the different opinions reached the *muqallid*, i.e, the divine rule reached the *muqallid* as two opinions. Some people think that the two opinions with respect to a *muqallid* is tantamount to one opinion. They think he has the right to choose between them, so he follows his whims and desires and whatever serves his purpose and not the opinion that goes against it. However, the situation is not like that, since the Muslim is ordered to adopt the *hukm Shari'*. The *hukm Shar'i* is the speech of the Legislator and there is only one speech, there cannot be more than one. When there is more than one understanding of the speech then each understanding constitutes a *Shari'ah* rule with respect to the one who understands it and the one who makes *Taqlīd* to him. Anything other than that is not considered a *hukm Shar'i* with respect to him. So how is it possible then for him to adopt two different opinions? When a *muqallid* finds two opinions from the *mujtahiddin* which conflict with each other, then each *mujtahid* is a follower of an evidence which demands the opposite of what the evidence of the other *mujtahid* demands. They possess two conflicting evidences. Following one of them according to one's whims is nothing short of following one's whims and desires and this is forbidden. He ﷻ said:

﴿فَلَا تَتَّبِعُوا الْهَوَى﴾

"*Follow not the lusts (of your hearts"* [TMQ Nisā': 135]

Thus, the *muqallid* has no option but to make *Taqlīd*. Two *mujtahids* with respect to the layman ('*ammi*) are like two evidences with respect to the *mujtahid*. Just as it is obliged on the *Mujtahid* to outweigh two conflicting evidences, likewise it is incumbent on the *muqallid* to outweigh two contradictory rules. If whims and motives were allowed to arbitrate in something like this then it would have been allowed for the judge and this is invalid according to the *ijma'* of the *Sahabah*. Also, in the issues of the Qur'ān there is a general rule which altogether disallows the following of the whims and desires, as in His ﷻ saying:

﴿فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ﴾

"*(And) if you differ in anything amongst yourselves, refer it to Allah and His Messenger (saw)"* [TMQ Nisā': 59]

When two *mujtahids* differ, the *muqallid* must refer it (the issue) to Allah ﷻ and the Messenger ﷺ which is done by referring it to a preponderant which, for the *muqallid*, Allah ﷻ and the Messenger ﷺ are pleased with, in a similar way as the *mujtahid* returns to the Book of Allah ﷻ and the Sunnah of His Messenger ﷺ. And returning to what Allah ﷻ and His Messenger ﷺ are pleased with is far from following one's whims and desires. The *muqallid* must choose one of the two opinions and this choice must be based on the preponderant which Allah ﷻ and His Messenger ﷺ are pleased with. It is not possible for the *muqallid* to act upon both opinions since they conflict. And his choice of one of the two *mazhabs* or one of the two different rules without a preponderant is a choice based on whims and desires. It is contrary to returning to Allah ﷻ and the Messenger ﷺ. The preponderants (*murajjahat*) by which the *muqallid* prefers a *mujtahid* over another, or one rule over many other rules, the first and foremost of them are: the question of best knowledge and understanding. It is narrated in the *hadīth* of Ibn Mas'ud that he ﷺ said:

﴿يا عبد الله بن مسعود. قلت: لبيك يا رسول الله وسعديك، قال: هل تدري أي الناس أعلم؟ قلت: الله ورسوله أعلم. قال: فإنّ أعلم الناس أبصرهم بالحق إذا اختلف الناس وإنْ كان مقصراً في العمل وإنْ كان يزحف على إسته﴾

"O Abdullah ibn Mas'ud. I said at your service. He ﷺ said: 'Do you know who are the most knowledgeable of people?' I said: Allah and His Messenger ﷺ know best. He said: 'The most knowledgeable of people is the one most aware of the truth when people differ, even if he is deficient in deeds, and even if he crawls on his bottom"

[Reported by Alhakim in his Mustadrak]

Therefore, the *muqallid* outweighs what he knows of the *mujtahid's* knowledge and trustworthiness because trustworthiness is a condition in accepting the testimony of a witness. Conveying a *hukm Shar'i* through teaching is a testification that this is a *hukm Shar'i* therefore, for accepting the rule, the integrity of the teacher who teaches it is essential. So the integrity of the one who deduces it is by greater reason. So the *a'adala* (integrity) is a condition which the person from whom we take the *hukm Shar'i* must qualify, whether he is a *mujtahid* or a teacher. It is definite. As for knowledge it is the preponderant. Whoever believes that Shafi'i was more knowledgeable and his *mazhab* is more likely to be correct, then he does not have the right to adopt a *mazhab* according to his whims and desires which contradicts it. And whoever believes that Ja'far al-sadiq is more knowledgeable and his *mazhab* is more likely to be correct, then he does not have the right to go against it based on his whims. Rather it is obligatory upon him to adopt what conflicts with his *mazhab* when the preponderant opinion becomes apparent after outweighing the evidence. *Tarjeeh* (outweighing) is necessary and this outweighing should not be based on whims and desires is also necessary. The *muqallid* does not have the right to pick and choose from the *mazhabs* issues which are more agreeable to him. Rather this type of outweighing is like the outweighing of two conflicting evidences for the *mujtahid*. To perform *tarjeeh* (outweighing) he relies on the veracity of the information which comes with the *qara'in* (indications). This is the case when outweighing for adopting in total (i.e a *mazhab*), not for every single rule.

The preponderant in *Taqlīd* is two: First: a general preponderant, which relates to the the person he wishes to follow such as Ja'far al-Sadiq and Malik ibn Anas for example. And second, the specific qualification which is with regards to a specific *hukm Shar'i* which he wishes to follow. The question of best knowledge comes in the second category. If an incident had taken place in Medina in the time of Malik, then he is regarded as more knowledgeable about it than Abu Yusuf. And the incident which took place in Kufa in the time of Ja'far, he is considered more knowledgeable about it than Ahmad ibn Hanbal. So the *muqallid* refers to the information about the *mujtahid* which reaches him.

Having the best knowledge is not the only qualification and nor is it the qualification for *Taqlīd* in itself. Rather it is the general qualification for the one who wishes to make *Taqlīd* and in general terms for the rule which is intended to be followed. As for the true qualification with regards to the rule, it is the strength of the evidence on which reliance is put. However, because the *muqallid* cannot understand the evidence, therefore the criterion of best knowledge is considered instead. There are many recognised qualifcations which vary according to the states of the *muqallids*.

The states of *muqallidin* and their preponderant qualifications

Taqlīd is the adoption of another person's opinion without a binding proof. So the acceptance of another person's opinion without a binding proof is considered *Taqlīd* just as acting according to the opinion of another without a binding proof is considered *Taqlīd*. That is like the layman's adoption of the opinion of a *mujtahid* or the adoption of the *mujtahid* of an opinion from someone like him. Referring to the Messenger ﷺ is not *Taqlīd* to him and nor referring to the *ijma'* of the *Sahabah* is Taqlīd to them because it constitutes referring to the evidence itself and not adopting the opinion of another. Likewise, the laymen's reference to a *mufti* is not considered *Taqlīd* to him, rather it constitutes seeking a legal opinion and learning and not adoption. So he either refers to him to seek a legal verdict (*fatwa*) or to learn, that is, the reference of a layman to a learned person is not considered *Taqlīd* to him because it constitutes either inquiring about a *hukm Shar'i* or learning it. As for the adoption of an opinion with knowledge of its evidence, it will be looked into. If the knowledge of the evidence is mere knowledge, like knowing that visiting the graves is permitted because the Messenger ﷺ said:

﴿كنت نهيتكم عن زيارة القبور فزوروها﴾

"I used to forbid you from visiting the graves, (but now) visit them"

[Reported by Ibn Majah and Muslim on behalf of Ibn Masud]

Then in this situation he is considered a *muqallid* because he has adopted the opinion of another without a binding proof even if he knew the evidence. However, the *muqallid* himself did not use this evidence as proof so it is not a binding proof with respect to him. As for if an understanding of the evidence was arrived at after examining the evidence and then deducing the *hukm* from it, it is then regarded as an *Ijtihād* which agrees with the *Ijtihād* of the one who initially held this opinion. That is because this process depends on realizing that the *Hukm* is free of conflicting factor based on the necessity of studying it, a matter which depends on the close examination of the evidences, something only the *Mujtahid* can do. Therefore, the *muqallid* is not a *mujtahid*. People with regards to the *hukm Shar'i* are either *mujtahid* or *muqallid* and none other. i.e, either he deduces the *hukm* himself whether some one else had deduced it before or he himself deduced it from the onset or he adopts the deduction of another *mujtahid*. Therefore, whoever does not have the capacity for *Ijtihād* he is a *muqallid* irrespective of whether he had knowledge of some of the legally recognised disciplines in *Ijtihād* or not. So he falls under the category of *muqallid 'ammi* (layman) or *muttabi'*. However, the *muttabi'* imitates on condition that he knows the evidence of the *mujtahid* while the '*ammi* he imitates without any condition.

It is permitted for the *muqallid*, whether *muttabi'* or '*ammi* to adopt the opinion of any *mujtahid* once it is established that this opinion of his is an *Ijtihād*, even if it was established by a solitary narration (*khabar ahad*). When he is confronted with an issue and he has not acquainted himself with the opinions of the *mujtahiddin* but he knows the opinion of a single *mujtahid*, It is permitted for him to adopt the *Shari'ah* rule which this *mujtahid* had deduced because what is required from him is the adoption of a *Shari'ah* rule in an issue and not the pursuance of the opinions of *mujtahid's*. In such an instance outweighing is not required from him. In the case if he is familiar with the opinions of the *mujtahiddin* and he wishes to adopt one of them then it will not be correct for him to do anything other than perform *tarjeeh* (outweighing) and this *tarjeeh* (outweighing) should not be according to the conformity of the *hukm* to his whims or apparent benefit since the intention of the *Shari'ah* is to take the *mukallaf* (legally responsible) from the motive of his whims and desires and to make him a true servant of Allah ﷻ. Indeed, the *tarjeeh*

should be according to a *Sharī'ah* preponderant qualification, that is, the qualification should be linked to Allah ﷻ and the Messenger of Allah ﷺ. He ﷻ said:

﴿فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ﴾

"*(And) if you differ in anything amongst yourselves, refer it to Allah and His Messenger (saw)"* [TMQ Nisā': 59]

Referring to Allah ﷻ and to His Messenger ﷺ is either to the word of Allah ﷻ or the Sunnah of His Messenger ﷺ i.e, to the *Sharī'ah* evidence, either to what Allah ﷻ or His Messenger ﷺ has ordered. Consequently, the preponderant qualifications differ according to the different states of the *muqallids*. Yes, the general preponderant qualification for the layman is, subsequent to the evidence, the one who has the best knowledge and comprehension. And this is the primary preponderant qualifications for all *muqallids*. However, there are different preponderant qualifications which people may use to outweigh, with or without the preponderant qualification of best knowledge. So the layman follows a *mujtahid* according to his trust of the understanding and *taqwa* (God fearing) of the ones who follow him, from the people he knows, like when he trusts his father or one of the '*Ulama*, so he follows the ones who follow him. This *tarjeeh* (outweighing) for the '*ammi* (layman) is from the perspective of the *deen* and not the perspective of his whims. Or, another preponderant qualification is that the layman knows the *Sharī'ah* rules and the evidences by attending lessons on *fiqh*, *hadīth* etc. At that point he is able to distinguish between rules and their evidences. This person outweighs in *Taqlīd* according to his acquaintance with the evidence. So he follows the *hukm* the evidence for which he is familiar with, when it contradicts with a *hukm* the evidence for which he is not acquainted with, He will then have a *hukm* which is linked to an evidence which is preferable to a *hukm* which is not linked to an evidence. These two situations apply to the layman; who is anyone who does not have knowledge of some of the recognised disciplines in *Ijtihād* Therefore, the layman in all of these situations, when an evidence becomes manifest to him, he must leave the *Taqlīd* that is based on his trust of the knowledge and *taqwa* of those who follow the *mujtahid* whom he follows and adopt the *hukm* which is linked to an evidence, because now he has a stronger preponderant qualification. So whoever used to follow Shafi'i or others because his father used to follow him, when the evidence of a *hukm Shar'i*, which had been deduced by a *mujtahid* other than the one he followed, becomes manifest to him and he believes in it, then he must adopt that *hukm* due to the presence of a stronger preponderant qualification which is the *Sharī'ah* evidence. And if he did not believe in it, then he does not have the right to leave the *hukm* he has been following since he has no preponderant qualification to warrant it. In the outweighing (*tarjeeh*), he relies on the hearing of indications (*qara'in*). He (the layman) does not have the right - to adopt different *mazhabs* based on whims. And nor does he have the right to follow the *mazhabs* in every issue which is easier for him, rather he must seek a preponderant qualification when there is more than one understanding for the *ahkām*.

Migrating from one *mujtahid* to another

Allah ﷻ has not ordered us to follow any *mujtahid*, *imam* or *mazhab,* rather He ﷻ ordered us to adopt the *hukm Shar'i*. He ﷻ ordered us to adopt what the Messenger ﷺ brought and to abstain from what he ﷺ has forbidden us. He ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*And whatsoever the Messenger ﷺ gives you, take it, and whatsoever he forbids you, abstain (from it)"* [TMQ Hashr: 7].

Therefore, the *Shari'ah* does not deem it right for us to follow the people except the rules of Allah ﷻ. However, the reality of *Taqlīd* has led the Muslims to follow the rules of certain *mujtahids* whom they have assigned as *imams* for themselves and they made the rules these *mujtahids* have deduced by their *Ijtihād* as a *mazhab* for themselves. So the *Shafi'is*, *Hanafis*, *Malikis*, *Hanbalis*, *Ja'faris* and *Zaidis* etc have an actual presence amongst the Muslims. Even though these people follow the *Shari'ah* rules which have been deduced by these *mujtahids*, their action is legitimate because it constitutes following a *Shari'ah* rule. As for if they followed the *mujtahid* as a person and not his deduction, then their action is not lawful and what they follow is not considered a *Shari'ah* rule. This is because it is a statement of a person which is not from the orders and prohibitions of Allah ﷻ which have been brought to us by the Messenger of Allah, Muhammad ﷺ. Consequently, all those who follow *mazhabs* must understand that they are following only the rules of Allah ﷻ which have been deduced by those *imams*. If they have a contrary understanding then they will be answerable to Allah ﷻ for leaving the rules of Allah ﷻ and following people who are themselves the servants of Allah ﷻ.

This is from the perspective of following the rules of a *mazhab*. As for leaving these rules, it has to be examined. If someone adopted a *hukm* but has not acted upon it yet then he has the right to leave it and adopt another *hukm* based on one of the preponderant qualifications which is linked to seeking the pleasure of Allah ﷻ. If he, in actuality, practised it then this *hukm* has become the rule of Allah ﷻ with respect to him. It is not permitted for him to leave it and adopt another *hukm* except when the second *hukm* is linked with an evidence and the first *hukm* is not linked to an evidence or if it was proven to him by way of learning that the evidence of the second *hukm* is stronger than the first and he is convinced of that, in that case it is incumbent on him to leave the first *hukm*. This is because his conviction and trust in the *Shari'ah* evidence has made it the rule of Allah ﷻ with respect to him, This is analogous to the *mujtahid*, when he finds an evidence stronger than the evidence from which he deduced the *hukm* then he must leave the previous opinion and adopt the new opinion due to the strength of the evidence. In any other situation, it is not allowed for the *muqallid* to leave the *hukm* he had followed and adopt a different *hukm* after he had already acted according to the first *hukm*.

As for making *Taqlid* to another *mujtahid* for another *hukm* that is permitted due to the *ijma'* of the *Sahabah* which has taken place on allowing the *muqallid* to seek legal verdicts from any learned person in an issue. As for when the *muqallid* selects a *mazhab* such as the *mazhab* of Shafi'i or Ja'far for example, and he says; I follow his *mazhab* and adhere to it, there are some details for this: he is not allowed to follow any other *mujtahid* in a *mas-ala* he has already practised according to the *mazhab* he is following; while any questions he had not acted upon previously, he is allowed to follow other *mujtahiddin* in those issues.

However, it should be made clear that the issue (*mas-ala*) for which it is allowed for him to leave the *hukm* that he has been following for another *hukm*, it is stipulated that the *mas-ala* should be separate from other questions, and that leaving it does not entail infringement of other *Shari'ah*

rules. As for when the *mas-ala* is connected to other *masail* (sing:*mas-ala*) then it is not allowed for him to leave it unless he leaves all the *masail* connected to it, because they are all considered as one *mas-ala*. For instance; if the *mas-ala* was a condition in another *hukm*, or one of the pillars (*arkan*) of a complete action such as the prayer (*salah*), wudu (*ablution*) and pillars (*arkan*) of the Salah. Thus, it is not correct for a Shafi'i to follow Abu Hanifah's opinion that touching the women does not invalidate the *wudu* and continue praying according to the *mazhab* of al-Shafi'i. It is not right for him to follow the one who takes the opinion that constantly moving in prayer (to whatever extent this may be) does not invalidate the prayer or that the recitation of the *Fatihah* is not one of the pillars of prayer and then he continues to pray as a *muqallid* of the one who holds the opinion that constantly moving in prayer does invalidate it or that the *Fatihah* is one of the pillars of the prayer. The *hukm* one is allowed to leave is that whose relinquishment does not affect the actions which are undertaken according to other *Shari'ah* rules.

Learning the *Sharī'ah* Rule

The one who seeks a legal verdict (*mustafti*) is not a *muqallid*, because the *muqallid* is one who adopts the *Shari'ah* rule and acts upon it. As for the *mustafti* (one who seeks a legal verdict), he is the one who learns the *hukm Shar'i* from a person who knows this *hukm*, whether that person is a *mujtahid* or not, and whether the *mustafti* learned it in order to practise it or just for the sake of knowledge. The *mustafti* is anyone who seeks to know the rule of Allah ﷻ pertaining to an issue. So anyone who is not a *mujtahid* with regard to a *hukm* is a seeker of a legal verdict in regard to that *hukm*. Thus the one who is not a *mujtahid* in any issue he is a *mustafti* (seeker of a legal verdict) in all issues. Whoever is a *mujtahid* in certain issues he is a *mustafti* in the issues he has not exercised *Ijtihād* in. As for the one who explains the rule of Allah ﷻ to a *mustafti* (seeker of a legal verdict) he is a *mufti*. It is said in the Arabic language:

"أفتى إفتاء في المسألة: أبان له الحكم فيها"

'He gave a legal verdict pertaining to an issue: he explained its rule.'

And he sought a legal opinion from an '*alim* regarding an issue means he requested him to give a legal opinion about it. The legal opinions of the *Sahabah* and the *Tabi'een* are the rules they clarified to the people. And since having knowledge of Allah's rule is a *fard*, there must be people, whether *mujtahids* or not who can teach the *Sharī'ah* rules to others, irrespective of whether they teach the people the rules with or without the evidences. Since it is not stipulated that the one who teaches the rules should be a *mujtahid*, just as it is not stipulated for the Muslim who teaches others to clarify the evidences, it is allowed for someone who knows a *hukm* to teach it to others when he becomes conversant about that *hukm*. Furthermore, because it is not stipulated for the one who gives legal opinions to people regarding the *Sharī'ah* rules or teaches them himself to be a *mujtahid*, on the contrary it is permitted for a non-*mujtahid,* who is acquainted with the *Shari'ah* rule of a *mujtahid* to deliver a legal opinion using that *hukm* because he is a carrier of the *hukm* even if he does not declare about this. In performing this action there is no difference between an '*alim* and others, such as in the reporting of *ahadīth*. Just as it is not stipulated that the transmitter of a *hadīth* be an '*alim* it is not stipulated either for the one who conveys a *hukm Shar'i* to others to be an '*alim*. So it is by greater reason (*min bab al-awla*) that there should be no stipulation for him to be a *mujtahid*. Even though it is stipulated that he should know the *hukm* that he conveys in a clear and accurate manner since he cannot convey it to others if he is not precise and unable to convey it properly. Likewise, it is not stipulated for the person who teaches people the *hukm Shar'i* or gives them legal opinions to teach them the evidence or convey it to them, Rather it is allowed for him to limit himself just to conveying the *hukm Shar'i* without quoting the evidence. i.e, it is permitted for him to give *fatwa* with the *hukm Shar'i* and teach it to people without clarifying them the evidence. However, he is required to explain to them that what he transmits to them is a *hukm Shar'i* or the inference (*istinbat*) of someone else i.e, of a certain *mujtahid*. However if he conveys an opinion and he says to them: 'This is my opinion' or he conveys to them an opinion and says: 'This is the *hukm* because so-and-so *mujtahid* said such and such thing', what he imparts is not considered a *Shari'ah* rule since the statement of a *mujtahid* is not a *Shari'ah* evidence. Using their speech as an evidence for a *hukm* invalidates its status as a *hukm Shar'i*. However, if he ascribes the *hukm* to a *mujtahid's* deduction then it is a *Hukm Shar'i* even if he does not expound the evidence.

This was common practise in the time of the *Sahabah*. The people used to seek legal opinions from the *mujtahidin* and follow them in the *Shari'ah* rules. The learned among them used to respond to their questions without alluding to the evidence and they were not forbidden from doing that. None from the *Sahabah* objected. Thus it became an *ijma'* (consensus) amongst the

Sahabah on the legality of a layman following a *mujtahid* without mentioning the evidence, it was also an *ijma'* on the permissibility of learning the rules of Allah ﷻ and teaching them without learning or teaching the evidence. The layman ('*ammi*) and the follower (*muttabi'*) are the same with regards to that. It is allowed for any one of them to seek verdicts from the other and teach the *hukm shar'i* he correctly understands to the other whether he knew the evidence or not. This is because anyone who gains knowledge of a *hukm* is considered to be knowledgeable about that *hukm*. So it is allowed for him to teach it to others. However, the layman ('*ammi*) limits himself to conveying what he knows exactly as he learnt it. As for the follower (*muttabi'*) he teaches what he knows and he gives verdicts according to what he knows because he possess some of the recognised disciplines in *Ijtihād,* He comprehends the rules and he knows how to teach them and how to give legal opinions with them. However, learning the rules and giving opinions with them does not constitute making *Taqlīd* to the teacher or the *mufti*. This is considered only as the giving of opinions or learning a *hukm*. *Taqlīd* should be made to the one who deduced the *hukm* and not the one who teaches it or gives verdicts by it. However, it has been stipulated that the teacher, in analogy to the witness, be just i.e, without manifesting any transgressions in the *Shari'ah*. Since the witness informs about an incident and the teacher also informs about the *hukm* of Allah ﷻ. So both inform about something, for which trustworthiness ('*adala*) is a stipulation. Also, Allah ﷻ has forbidden the Muslims to accept the statement of a *fasiq* (transgression) and ordered them to check it. He ﷻ said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِنْ جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا﴾

"*O you who believe! If a fasiq (rebellious person) comes to you with a news, verify it*"

[TMQ Hujuraat: 6]

The use of the word '*fasiq'* (transgressor) and '*naba'* (news) in their indefinite (verbal noun) forms indicate that when any *fasiq* (transgressor) comes with any news, the people should desist from adopting what he says and seek to verify the matter and discover the true reality and not simply accept what he says. The opposite meaning (*mafhum al-mukhalafa*) of this verse is that the statement of the upright and just ('*adl*) person is taken whether for the purpose of giving legal opinions or acquiring knowledge.

The strength of the Evidence (*quwwa al-dalīl*)

The *Sharī'ah* evidence is a proof that the *hukm* it denotes is a *hukm shar'i*. Therefore, the consideration of a *hukm* as a *Sharī'ah* rule depends on the consideration of its evidence. Consequently, the discussion about the judgement of an evidence is the basis in considering the *Sharī'ah* rules. When there is a suitable evidence for an incident to prove that its *hukm* is such and such, then this *hukm* is considered a *Sharī'ah* rule for that incident based on the consideration of its evidence. However, if there are two appropriate evidences for an incident; one indicates a certain *hukm*, a prohibition (*hurma*) for example and the other indicates a different *hukm* such as permissibility (*ibaha*). Then we must outweigh (*tarjeeh*) one of the evidences over the other until it becomes possible to adopt a *hukm* on the premise that its evidence is stronger than the other. Therefore, one must know the angles of outweighing (*tarjeeh*) the appropriate evidences that are used as proof so as to facilitate adopting the strongest evidence by outweighing it over other evidences. The evidence for the obligation of outweighing and acting upon the strongest evidence, that is, the strongest evidence, is the *ijma'* of the *Sahabah* (May Allah be pleased with them for that). So, they (the *Sahabah*) outweighed the report of 'A'isha ﵂ with regards to the touching of the two circumcised parts. Her statement:

﴿إذا جاوز الختان الختان فقد وجب الغسل فعلته أنا ورسول الله ﷺ فاغتسلنا﴾

"When the circumcised part touches the circumcised part ghusl is obligatory. I and the Messenger of Allah ﷺ did this, so we made ghusl."

[Reported by Tirmidhi]

They outweighed her saying over the report of Abu Sa'id al-Khudri who said that the Prophet ﷺ said:

﴿إنما الماء من الماء﴾

"It is with the seminal emission that ghusl becomes obligatory."

[Reported By Muslim]

This is because the wives of the Prophet ﷺ were more versed about these matters than the men. The *Sahabah* also outweighed the report of one of his ﷺ wives who narrated that he used to wake up in the morning in a state of *janaba* (major ritual impurity) against what Abu Hurairah ﵁ reported from al-Fadl ibn 'Abbas that the Prophet ﷺ said:

﴿أن من أصبح جنباً فلا صوم له﴾

"Whoever wakes up in a state of major impurity, there is not fast for him" [Reported by Ahmad]

In a similar way 'Ali ibn Abi Talib found the report of Abu Bakr stronger, thus he did not put him to oath as he did with others. In a similar way abu Bakr found the report of al-Mughira about the inheritance of the grandmother stronger due to what was narrated in addition to it by Muhammad ibn Maslama. Also, 'Umar found the report of Abu Musa al-Ash'ari about the *isti'zan* (seeking permission) stronger after it has been corroborated by Abu Sa'id al-Khudri's narration. The *Sahabah* did not outweigh opinions and analogies except after studying the texts up to the point that it was not possible to go (in study) any further. Whoever scrutinises their situation and observes the facts of their *Ijtihādat* will come to know without any doubt whatsoever that they used to oblige the use of a preponderant evidence as opposed to a weaker

one from two speculative (*ẓanni*) evidences. This is also indicated by the Prophet's ﷺ acceptance of Mu'az, when he sent him to Yemen as a judge, on the order of evidences and the precedence of one evidence over the other.

However, when two evidences conflict it will not be correct to resort to the outweighing of one evidence over the other except in the event when it not possible to use both of them together. If it is possible to act upon both of them that is better, since it is better to act upon both evidences than to disregard one of them altogether because an evidence in principle is to act upon and not to disregard. Furthermore, it is not correct to act upon both evidences through excuses and pretexts but according to the indication of the text. An example of using two conflicting evidences is the saying of the Prophet ﷺ:

﴿ألا أخبركم بخير الشهداء؟ الذي يأتي بشهادته قبل أن يُسألها﴾

"Shall I tell you who are the best of witnesses? He is the one who comes with his testimony before he is asked to do so."

[Reported by Muslim on Behalf of Zayd Bin Khaled Aljuhni]

And his saying ﷺ:

﴿ثم يفشو الكذب حتى يحلف الرجل ولا يُستحلف ويشهد ولا يُستشهد﴾

"Then lies will become widespread until a man will take an oath without being asked and will give witness without being asked to give witness."

[Reported by Ahmad & Tirmizi on Behalf of Ibn Umar]

So the Messenger ﷺ praised the one who gave witness before he was called to give testimony, and he ﷺ criticised the one who gave witness before he was called to give testimony. Thus, the Prophet's ﷺ praise of the one who gave witness before he was asked to give it indicates that it has been ordered by the Legislator. And the Prophet's ﷺ criticism of the one who gave witness before he was asked to give testimony indicates that it has been prohibited by the Legislator. This is a contradiction between the two evidences, and their reconciliation is: that giving testimony regarding a right of Allah ﷻ, the *Sharī'ah* has ordered to provide it without being requested to do so. And giving testimony regarding a right of the servant, the *Sharī'ah* has forbade that the witness testifies before he is asked to do so.

It is absolutely essential that one attempts to act upon both the evidences. If it is not possible to practise them both together and they contradict despite being equal in strength and generality, then it must be looked into. If the later evidence is known then it abrogates the earlier one whether both evidences were definite (*qat'i*) or speculative (*ẓanni*), whether from the Quran or Sunnah. Both evidences cannot be from the Quran and Sunnah at the same time because the Sunnah does not abrogate the Quran, even if it is *mutawatir* (recurrent report). As for when the later evidence is unknown; then both of them must be speculative (*ẓanni*) because definite evidences (*qat'i*) do not contradict each other. If they are speculative (*ẓanni*), then they should be outweighed and the stronger evidence is used. The strength of the evidence means its strength in terms of the order of the evidences and in terms of the level of considering the deduction in each type of the speculative evidences. As for the order of the evidences; the Quran is stronger than the Sunnah even if the Sunnah is *mutawatir* (recurrent). The *mutawatir* (recurrent) Sunnah is stronger than the *ijma'* (consensus) and the *ijma'* which has been transmitted recurrently is stronger than the isolated *hadīth* (*khabar al-ahad*). The isolated *hadīth* (*khabar al-ahad*) is stronger than the *qiyas* (analogy) if its '*illah* was taken by way of indication (*dalāla*), deduction or analogy. As for when its '*illah* is taken explicitly, it is treated as the text which has indicated the '*illah* explicitly, and it takes its rule in terms of the strength of the evidence. If the text was Qur'ānic

then its *hukm* is that of the Qur'ān, and if it was the Sunnah then its *hukm* is that of the Sunnah. If it is indicated by the *ijma'* then the rule of the *ijma'* is taken. In terms of considering the deduction in each type of the speculative evidences, the speculative evidences are of two types; the first is the Sunnah and the second is the analogy (*qiyas*). Each one has specific considerations in the outweighing of evidences. i.e, based on the strength of the evidence. As for the Sunnah, the strength of the evidence with respect to it means its strength in terms of the chain (*sanad*) of transmission, its strength in terms of the text, and its strength in terms of the meaning. As for the strength of the Sunnah evidence in terms of the chain (*sanad*) it will be based on the following issues:

First: pertaining to the transmitter (*rawi*). The transmitter who was in direct contact is preferred to the transmitter who was not in direct contact because the former is more aware of what he narrates. It is like the narration of Abu Rafi' that

﴿أن النبي عليه السلام نكح ميمونة وهو حلال﴾

"The Prophet ﷺ married Maymuna when he was not in a state of ritual consecration"
[Reported by Muslim]

It is preferred to the narration of Ibn 'Abbas that

﴿أنه نكحها وهو حرام﴾

"He ﷺ married her when he was in a state of ritual consecration"

[Reported by Bukhari]

This is because Abu Rafi' was the mediator between them and he was the representative of the Messenger of Allah ﷺ in her marriage to him. And the *hadīth* is outweighed according to the legal comprehension of the transmitter. The report of a transmitter who is a *faqih* (jurist) is preferable over the report of a transmitter who is not a *faqih* (jurist). The *hadīth* which has been transmitted by a *rawi* through memorisation is preferred to the *hadith* which has been transmitted by a *rawi* through the medium of written materials, So when one of the two transmitters relies on his memorisation of the *hadīth* and the other relies on written materials, the one who has committed it to memory is more preferable because he is more free from suspicion. The *hadīth* narrated by a well known transmitter is preferred to the *hadīth* narrated by a lesser known transmitter.

Second: Pertaining to the same report. The recurrent *hadīth* (*khabar mutawatir*) is preferred to the isolated *hadīth* (*khabar al-ahad*). The report which has a complete chain (*musnad*) is preferred to a *mursal* report because we know the transmitter of the *musnad* and we do not know the transmitter of the *mursal*.

Third: Pertaining to the time of transmission. The transmitter who narrated the *hadīth* in his maturity is preferred to the *hadīth* which has been narrated by a transmitter at the time of his childhood that is, when he was a child.

Fourth: Pertaining to the manner of transmission. The report on which there is agreement over its continuous link (*raf'ihi*) to the Prophet ﷺ is preferred to the report about which there is disagreement over its continuous link to the Prophet ﷺ. The report which cites the actual words of the Messenger ﷺ is better than the report which has been transmitted by meaning.

Fifth: Pertaining to the time in which the *hadīth* was mentioned. The *hadīth* which has been transmitted generally without a date is preferred to a *hadīth* which is dated as early, because the general *hadīth* is more similar to the later *hadīth*. The report which is mentioned in the last days of the Prophet ﷺ is preferred. So the report mentioned during the illness when he ﷺ died is preferred to the general report.

As for the strength of the evidence in terms of the *matn* (text) they are from the following issues:

First: If one of the reports is in the form of a command and the other is in the form of a prohibition. The prohibition is preferred to the command.

Second: If the one of the reports commands a thing and the other permits a thing. The *hadīth* which permits is preferred to the one that commands. Because acting upon the *hadīth* of permission necessitates the interpretation of the command by diverting it from the command to act to a permitted action, which is one of its established meanings. Acting upon the command necessitates the suspension of the entire *hadīth* of permission. Acting upon both evidences is better than suspending one of them.

Third: When one of them is a command and the other is a report (*khabar*). So the report (*khabar*) is preferred to the order, because the report (*khabar*) is stronger in meaning than the command. Therefore, abrogation of the (*khabar*) is avoided as opposed to the command which can be abrogated.

Fourth: When one of them is a prohibition and the other is a report (*khabar*). The report (*khabar*) is preferred to the prohibition for the same reason the report (*khabar*) is preferred to the order.

Fifth: That which is related to the words of the report. The report (*khabr*) whose words indicate reality (*haqiqa*) is preferred to the one whose words indicate a metaphor (*majaz*). The report which contains (includes) the divine reality (*haqiqa shari'a*) is preferred to the one which includes the linguistic reality (*haqiqa lughawiya*) or the traditional reality (*haqiqa urfiya*) because the Prophet ﷺ was sent to explain the divine (facts). The report which includes a reason ('*illah*) for the *hukm*, whether it was explicit, indicative or deduced is preferred to the one which does not point to a reason ('*illah*) for the *hukm*, this is because the reasoned *hukm* is stronger from the legislative point of view.

As for the strength of the report in terms of the meaning they are in the following issues:

First: If one of the reports conveys ease (*takhfif*) and the other conveys harshness (*taghleez*). Then the report which includes ease is preferred to the report which includes harshness due to His ﷻ saying,

﴿يُرِيدُ اللّهُ بِكُمُ الْيُسْرَ وَلاَ يُرِيدُ بِكُمُ الْعُسْرَ﴾..

"Allah intends for you facility; He does not intend for you difficulty,"

[TMQ Baqarah: 185]

and His ﷻ saying,

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ﴾

"*And He has not laid upon you in religion any hardship*" [TMQ Hajj: 78]

And due to his ﷺ saying:

﴿إن الدين يسر﴾

"Islam is easy." [Reported by Bukhari on behalf of Abu Hurairah]

﴿لا ضرر ولا ضرار في الإسلام﴾

"And his ﷺ saying:

"There is no harm or reciprocating harm in Islam"

[Reported by Malik abd Ibn Majah on behalf on Ubadah ibn samit]

Second: If one of the reports conveys a prohibition and the other conveys a permission. The report which indicates a prohibition is preferred to the report which indicates a permission due to his ﷺ saying:

﴿دع ما يريبك إلى ما لا يريبك﴾

"Leave what you doubt for that which you do not doubt."

[Reported by Ahmad & Tirmidhi]

Third: If one of the reports conveys a prohibition and the other conveys an obligation. If an indication (*qarina*) for outweighing does not exist then the report which indicates a prohibition is preferred to the report which indicates an obligation.

Fourth: If one of the reports conveys an obligation and the other conveys permissibility, then the report which indicates an obligation is preferred to the report which indicates a permissibility. Because leaving an obligation entails a sin and leaving a permissibility does not entail anything. So, being further from the sin is more proper than being further from a thing that does not entail anything. Because, the report which indicates an obligation has a decisive request and the report which indicates a permissibility is either a request giving choice or it is itself a choice. The decisive request is preferred to other requests.

This is with respect to the considerations of *tarjeeh* in the Sunnah. As for the considerations of *tarjeeh* in analogy (*qiyas*), they are according to the evidence of the reason ('*illah*). So the analogy (*qiyas*) whose reasoning of its description ('*illayat wasfihi*) is proved by the definite text is preferred to the one whose reasoning of its description is established by non definite text. Because the definite text is inconceivable to indicate other than reasoning ('*illah*), while the indefinite text is not. The analogy whose '*illah* is proved explicitly is preferred to the one whose '*illah* is established through induction, deduction or analogy. That whose '*illah* is established by deduction is preferred to that whose '*illah* is established by analogy. Thus the outweighing (*tarjeeh*) of analogy is according to the '*illah* and its evidence.

These, briefly, are the preponderant qualifications. Through them the stronger evidence is known and taken so that the *Shari'ah* rule is outweighed. This is possible in two cases: firstly, in the case of the *muttabi'* (follower) in his judgement of two evidences without possessing the ability to deduce (*istinbat*) due to the absence of exerting the effort seeking the preponderant opinion. Secondly, in the case of the *mujtahid* when he is confronted with two evidences. In both cases, when there are two evidences then one must be outweighed over the other. When an evidence is outweighed he is obliged to adopt the *hukm* whose evidence is stronger and act upon it, and leave the *hukm* whose evidence is proven to be weak.

Consultation (*Shūrā)* or the adoption of an opinion in Islam

The *shura* or the adoption of an opinion can be undertaken by the *Khalifah*, *ameer*, or anyone who has authority whether he is a chief, leader or official, as they are all *ameers*. Or, it can take place between spouses due to His ﷻ saying:

﴿فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ﴾

"*If they both decide on weaning, by mutual consent, and after due consultation*."

[TMQ Baqarah: 233]

As for putting forth an opinion to a person in authority, whether he was a judge, leader etc, this is clearly an issue performed by way of giving advice (*nasiha*). It is a legitimate matter that is presented to the leaders of the Muslims and the masses. As for the referring of a person in authority to adopt an opinion of the people, whether he was a judge, *ameer*, or president, this is an object of ambiguity especially after concepts of democracy have spread and have almost corrupted the mentality of many Muslims. The seeking of an opinion is what is termed in Islam as: '*Shura'* and '*tashawur'*. Since it is permitted to listen to an opinion expressed by Muslims and non-Muslims because the Messenger ﷺ accepted the opinion that was included in the *hilf al-fudul* (*fudul* confederacy), where he said:

﴿... ولو دعيت به لأجبت وما أحب أن أخيس به، وأنّ لي به حُمر النعم﴾

"If I were invited I would respond, for I do not like to break an agreement which is more appealing to me than herds of cattle."

[Sunan Bayhaqi]

Even though it was an opinion of the *Mushrikin* yet seeking of an opinion cannot be for anyone except for the Muslims that is, *shura* is not a right of anyone except the Muslims because Allah ﷻ addressed the Messenger ﷺ saying:

﴿وَشَاوِرْهُمْ فِي الْأَمْرِ﴾

"*And consult them in their affairs.*" [TMQ aal-Imrān: 159]

i.e, the Muslims. And He ﷻ says:

﴿وَأَمْرُهُمْ شُورَى بَيْنَهُمْ﴾

"*And who conduct their affairs by mutual consultation.*" [TMQ Shurā: 38]

i.e, the Muslims. This is because the first *ayah* says:

﴿فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ﴾

"*And by the Mercy of Allah, you dealt with them gently. And had you been severe and harsh-hearted, they would have broken away from about you; so pass over (their faults), and ask (Allah's) Forgiveness for them; and consult them in their affairs.*"

[TMQ aal-Imrān: 159]

This consultation by the Messenger ﷺ cannot be for anyone except the Muslims. The second *ayah* says:

﴿وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاةَ وَأَمْرُهُمْ شُورَى بَيْنَهُمْ﴾

"*And those who answer to the Call of their Lord and establish the prayer, and who conduct their affairs by mutual consultation.*" [TMQ Shurā: 38]

This cannot be a description of anyone other than the Muslims. Therefore *shura* is specific to Muslims with each other. Practising *shura* amongst Muslims is a well-known matter. It has been mentioned in the noble Qur'ān and sacred *hadith* and in the sayings of the Muslims. It has been narrated that Abu Hurairah ﷺ said:

﴿ما رأيت أحداً أكثر مشاورة من رسول الله ﷺ لأصحابه﴾

"I have not seen anyone more willing to consult others than the Messenger of Allah's ﷺ consultation of his companions."

[Sunan Bayhaqi]

It has been narrated also that al-Hasan ﷺ said:

"ما تشاور قوم قط إلاّ هدوا لأرشد أمرهم"

"There is not a people who consult each other, except that they are guided to the best decision in their affairs"

So seeking of an opinion is *tashawur* or *shura* which is proven in the text of the Qur'ān and the *hadīth*. However what many people do not know is; in what issues can there be a *shura* or *tashawur* ? i.e, in which issue is an opinion adopted ? Then, what is the rule on this opinion. Should it be adopted according to the opinion of the majority irrespective of right or wrong? Or, is he obliged to adopt the correct opinion irrespective of whether it is the opinion of the majority or minority or a single person?

In order to comprehend the answer, it is inevitable that we understand the reality of the opinion as it is and what it is and understand the detailed *Sharī'ah* evidences mentioned about seeking of opinions and apply these evidences on the reality of an opinion from a legislative perspective.

As for the reality of opinions existent in the world they do not number more than four types only. Any opinion in the world is either one of these opinions or it has branched out from or classified under one of them. The four types of opinions are:

First: Either the *hukm* is a *Shari'ah* rule that is, legislative opinion.

Second: Being the definition of a certain issue. Either a *Sharī'ah* definition such as the definition of what a *hukm shar'i* is or the definition of a reality, such as the definition of the 'mind', 'society' and other such things.

Third: It is an opinion which indicates a thought in a subject or it indicates a thought in a technical matter which is understood by specialists & experts.

Fourth: An opinion which indicates an action that needs to be undertaken.

These are the opinions existent in the world and this is their reality. So is *shura* (seeking of an opinion) carried out in all of these opinions or only in some of them? Is the opinion of the majority preferred irrespective of being right or wrong? Or is the opinion preferred in terms of its correctness without taking notice of the majority? In order to arrive at an answer, we must

examine the evidences mentioned in the Qur'ān and *hadīth* first. And then apply these evidences on these opinions.

As regards *shura* the text of the Qur'ān indicates that *shura* applies to all types of opinions because the verse says:

﴿وَأَمْرُهُمْ شُورَى بَيْنَهُمْ﴾

"*And who conduct their matters (affairs) by mutual consultation*."

[TMQ Shurā: 38]

And he ﷻ says:

﴿وَشَاوِرْهُمْ فِي الْأَمْرِ﴾

"*And consult them in the matter*." [TMQ aal-Imrān: 159]

The speech here is general. So the word 'matter' means the affairs of the Muslims, which is a general designation for all affairs. And in the word '*al-amr*' (the matter), the definite article (*alif lam*) is generic i.e, to the category of affairs. The general thing remains general as long as there is no evidence to specify it. And here there is no evidence to specify *shura* to anything. Therefore, it remains of general designation for all affairs.

With regards to the obligation of following an opinion which is sought by the *Shura,* that is, whether the majority opinion is preferred irrespective of right or wrong or the opinion is preferred in terms of its correctness without taking notice of the majority being given any consideration, certainly, there are texts which indicate that the opinion of the majority should be adopted and complied with. And there are texts which indicate that the opinion of the majority should not be adopted, rather it gives the person in authority the right to execute what he has decided irrespective of the majority position. The Messenger ﷺ said to Abu Bakr and 'Umar:

﴿لو اجتمعتما في مشورة ما خالفتكما﴾

"If both of you agree on a mashura, I will not go against it."

[Reported by Ahmad]

And he ﷺ complied with the opinion of the majority in *Uhud*. Allah ﷻ says to the Messenger ﷺ:

﴿وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ﴾

"*And consult them in the matter. Then when you have taken a decision, put your trust in Allah*" [TMQ aal-Imrān: 159]

In order to arrive at an understanding of when it is binding to adopt the opinion of the majority and when it is not binding we must examine the evidences which are mentioned in the Qur'ān and *hadīth* first, and then apply these evidences on the existing opinions in the world.

As for the evidences mentioned in the Qur'ān, there are two ayats. The first is His ﷻ saying:

﴿وَشَاوِرْهُمْ فِي الْأَمْرِ﴾

"*And consult them in the matter*." [TMQ aal-Imrān: 159]

It is an order from Allah ﷻ to His Messenger ﷺ to refer to the Muslims to obtain their opinion. However, Allah ﷻ gave him ﷺ the right to choose the opinion. So He ﷻ said in completion of the same verse:

﴿فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ﴾

"*Then when you have taken a decision, put your trust in Allah*"

[TMQ aal-Imrān: 159]

i.e, after you have decided on a matter after consultation (*shura*), then put your trust in Allah ﷻ in carrying out your matter in the most sensible and appropriate manner. And He ﷻ said: "When you (singular) took a decision" (*'azamta*) and not when "you (plural) took a decision" (*'azamtum*). As for the second verse, His ﷻ saying:

﴿وَأَمْرُهُمْ شُورَى بَيْنَهُمْ﴾

"*And their matter is run by mutual consultation*." [TMQ *shurā*: 38]

It is a commendation from Allah ﷻ for the Muslims because they do not adopt an opinion on their own but consult each other about it. It encourages the practise of consultation (*shura*). Also the saying is ambivalent (*mujmal*), therefore, we need to refer to the Sunnah to see if there is anything there in terms of the sayings and actions of the Messenger ﷺ which will elucidate the ambivalent meaning (*mujmal*).

By referring to the sayings and actions of the Messenger ﷺ we find that he ﷺ said to Abu Bakr and 'Umar:

﴿لو اجتمعتما في مشورة ما خالفتكما﴾

"If both of you agree on a *mashura*, I will not go against it."

[Reported by Ahmad]

He ﷺ obliged himself not to go against what they have agreed upon, So here the Messenger ﷺ demonstrated that the opinion of the majority should not be opposed when they are two persons and he is one.

We also find that the Messenger ﷺ on the day of the battle of *Uhud* brought together the people of opinion from those amongst the Muslims and those who pretended to be Muslims and then they consulted each other. The Prophet ﷺ took the opinion that they should take refuge in Madina and force the Quraysh to stay outside. The head of the *Munafiqin* (hypocrites) 'Abdullah ibn Ubay ibn Salul was of this opinion. And this was the opinion of the senior companions. The opinion of the zealous youth who had not witnessed *Badr* was to go out to confront the enemy. The majority then appeared to be on the side of the youth. So the Messenger of Allah ﷺ yielded to their opinion and followed the opinion of the majority. So this incident indicates that he ﷺ gave in to the opinion of the majority and acted according to their opinion and he left his own opinion and that of the senior companions because they were the minority. So when the people began to regret and said: "We have forced the Messenger of Allah ﷺ to follow our opinion and we do not have that right." They went to him ﷺ and said:

﴿استكرهناك ولم يكن لنا ذلك فإن شئت فاقعد صلى الله عليك﴾

"We have compelled you but we do not have that right. If you wish you may remain (in Madinah). May Allah bless you."

[Reported by Alhakim in his mustadrak]

The Prophet ﷺ refused their request to go back to his opinion and that of the senior companions and he continued to insist on compliance with the opinion of the majority.

However, we see him ﷺ also in *Badr* where he complied with the correct opinion and he was satisfied with a single opinion when he found the opinion to be true. When the Messenger of Allah ﷺ and the Muslims with him came down at the nearest spring of *Badr*, al-Habbab ibn al-Munzir did not like that place. He said to the Prophet ﷺ:

﴿يا رسول الله، أرأيت هذا المنزل، أمنزلاً أنزلكه الله فليس لنا أن نتقدمه ولا نتأخر عنه؟ أم هو الرأي والحرب والمكيدة؟ قال الرسول: بل هو الرأي، والحرب، والمكيدة. فقال: يا رسول الله، إن هذا ليس بمنزل، ثم أشار إلى مكان، فما لبث الرسول أن قام ومن معه واتبع رأي الحباب﴾

"O Messenger of Allah. Has Allah inspired you to choose this spot over which we have no say or is it an opinion, war and strategy?" The Prophet ﷺ replied: "It is a matter of opinion, war and strategy." So he said: "O Messenger of Allah. This is not a good place." Then he pointed to another place. The Prophet ﷺ and those with him lost no time in following the opinion of al-Habbab"

[*Dalail AnNubuwa LiBayhaqi*]

In this *hadīth* the Prophet ﷺ left his opinion and he did not refer to the opinion of the majority but followed the correct opinion. He was content to adopt it from one person about a subject the Messenger ﷺ himself said was: "a matter of opinion, war and strategy."

Then we find the Messenger ﷺ in the expedition (*ghazwa*) of *Hudaybiya* that he stuck to his opinion single handily and he rejected the opinion of Abu Bakr and 'Umar. Furthermore, he rejected the opinion of the Muslims and forced them to comply with his opinion despite their anger and grievances. He told them:

﴿إني رسول الله، ولست أعصيه وهو ناصري﴾

"I am the Messenger of Allah ﷺ. I will not disobey Him, and He will not neglect me."

[Reported by Bukhari on Behalf of AlMusoor bin Makhrama]

From these four *ahadīth* we find that the Messenger ﷺ held on to his opinion solely and rejected all other opinions, We also find him referring to the correct opinion and adopting the opinion of a single person alone whilst leaving his own opinion and not referring to the opinion of the people at all. We also find him complying with the majority opinion and making a statement which indicates that the opinion of the majority should be referred to and not opposed. If we scrutinise these *ahadīth* and the context in which they came we find that the Prophet ﷺ referred to the *Shari'ah* evidence, that is, the *wahy* (revelation) in *Hudaybiya* and that he ﷺ referred to the correct opinion in the battle of Badr but referred to the majority in *Uhud*, and we also find him not objecting to the opinions of Abu Bakr and 'Umar. The Prophet's ﷺ action and sayings can be summed up in three situations: First, referring to the strength of the evidence as perceived by the one who deduces from it and not how the people perceive it. Second, referring to what is the correct irrespective of the opinion of the majority and not even giving it any consideration at all. Third, referring to the majority opinion regardless of whether it was right or not, infact neglecting the aspect of rightness completely.

When we apply these three rules which have been deduced from the action and saying of the Prophet ﷺ on the reality of the existing opinions in the world we find the following:

Firstly- The *Shari'ah* rule is outweighed only on the basis of the strength of the evidence. This is because the Messenger ﷺ only preferred what was sent down by revelation and absolutely rejected everything else. He ﷺ said:

﴿إني رسول الله، ولست أعصيه وهو ناصري﴾

"I am the Messenger of Allah ﷺ. I will not disobey Him and He will not neglect me."

[Reported by Bukhari on Behalf of AlMusoor Bin Makhrama]

The *Shari'ah* evidence is the Qur'ān and Sunnah only and whatever the Qur'ān and Sunnah indicate as an evidence because it is the matter upon which the order or prohibition of Allah ﷻ applies. The strength of the evidence is not what the people perceive or what they define and understand it to be. Rather, the strength of the evidence is only according to what the one who educes (*mustadill*) it , even if this sense of deduction was his own understanding and the definition was his own, as long as he relied on the semblance of an evidence (*shubhat dalīl*). This is because the *quwwa addalil* (strength of the evidence) differs among people due to their disparate perceptions of the *Shari'ah* evidence itself and due to the manner in which they understand the Arabic language and the *Shari'ah*. The strength of the evidence does not mean the strength (authenticity) of the *hadīth* only. Rather, the strength of the evidence, whether it be the Quran or the Sunnah, is in terms of the meaning (*dirayа*), narration (*riwaya*), understanding (*fahm*) and consideration (*i'tibar*) and there is no difference among the Muslims about this.

Secondly - The opinion which indicates a thought about a subject, is outweighed from the angle of what is right , for eg, the issue of revival. Will it be realised by an intellectual elevation or through an economic one? Or, is the international situation favourable to a particular state or another? Is the internal and international situation suitable for the undertaking of political actions or military actions in addition to the political action or are they not suitable. In all of these things what is referred to is the correct opinion. Because, whatever category they may be, they fall under the saying of the Messenger ﷺ:

﴿بل هو الرأي، والحرب، والمكيدة﴾

"It is a matter of opinion, war and strategy."

The correct opinion is referred to just as the Prophet ﷺ referred to the opinion of al-Habbab ibn al-Munzir. Al-Habbab was familiar with that place, so the Prophet ﷺ referred to his experience. Therefore, in the technical opinion reference is made to the correct opinion.

Thirdly – In case of the opinion which leads to undertaking an action, the opinion of the majority is preferred. Because he ﷺ complied with the majority opinion in *Uhud* and he went outside of Madina even though he saw this opinion as mistaken. Likewise, the senior companions took a contrary view because they held the Prophet's view that they should remain in Madinah. Despite this the Prophet ﷺ acted according to this opinion which was to go outside Madinah because the majority were of this opinion. So this action of the Messenger of Allah ﷺ clarifies the meaning of his statement to Abu Bakr ﷺ and 'Umar ﷺ:

﴿لو اجتمعتما في مشورة ما خالفتكما﴾

"If both of you agree on a mashura, I will not go against it."

[Reported by Ahmad on behalf of Ibn Ganam AlAsha'ri]

This is regarding the opinion over the same category as in the case *Uhud* that is, an opinion which leads to the undertaking of an action. So in any opinion which leads to the undertaking of an action, the majority is preferred such as in the election of a leader, or the removal of a governor (*wali*) or to decide on a project etc. It is incumbent that the majority opinion be adopted and that is binding irrespective of whether it was right or wrong.

After the application of the evidences on the reality of opinions in the world it becomes clear that the binding opinion i.e, in which the majority is preferred, is of the same category as in the case of *Uhud*. It falls under the '*al-mashura'* mentioned in his ﷺ saying: "If both of you agree on a *mashura*..." It is the opinion which leads to the undertaking of an action. Anything besides that is not binding and it is not obligatory to act upon based on the view of the majority. Thus, the binding opinion that is, in which the majority opinion is preferred, is restricted to one type of the actions that exist in the world which is the opinion that discusses the action which needs to be performed. Due to this application it also becomes clear that for the *Sharī'ah* rule and the opinion which leads to a thought or a technical matter no attention is given to the majority opinion in both cases. For the *Sharī'ah* rule, only the strength of the evidence is taken into account. And in the opinion which leads to a thought or technical matter i.e, which is of the type of opinion, war or strategy, only the correct opinion is given attention and nothing else.

Therefore, the definition is an opinion which is not binding i.e; the majority opinion is not followed since in no way does it fall under '*mashura'*, because the incident of *Uhud* does not apply to it. However, the question of definition also belongs to the opinion which indicates a thought because the study of the *hukm shar'i* in order to define it and the study of the mind to define it is the study of an actual thing in order to arrive at the understanding of its reality i.e, the understanding of its true nature. Whenever it is in agreement with the reality then that is what is preferred. Therefore, in defining a thing what is preferred is the correct opinion. In this the *Sharī'ah* rule is not studied and nor is any importance attached to the opinion of the majority. There is no difference between the *Sharī'ah* definition and the definition of any other thing. So when the definition is inclusive (*jami'*) of all components of the object being defined without exception or exclusion of any components of the definition and it restricts the inclusion of any component which does not come under the meaning of the definition then this definition is preferred over other definitions, in other words the correct opinion is preferred because it agrees with the reality of the object being defined, and gives the true description of this reality.

This is the *hukm* of *shura* in Islam and it is clear from the texts of the Qur'ān and *hadīth* and it has been elaborately described in the actions of the Messenger of Allah ﷺ. However, for the purpose of gaining a precise understanding someone may become confused when discussing the reality of opinions about the difference between an opinion through which a thought is reached and the opinion through which one arrives at an action. The question of the difference between the incident of *Badr* and the incident of *Uhud* in applying the evidences on the opinions prevalent in the world may also become confused. It might be said when discussing the reality of opinions that there is no difference between the opinion which leads to an action and the opinion which leads to a thought, in the end all of them revert back to an action. So from where does this difference arise? The answer to this question is that there is a subtle difference between them. With respect to the opinion which leads to a thought, only the subject matter is discussed without considering the action. So the area of discussion is the subject and not the action. What is intended from the discussion is to arrive at a thought over a subject which is studied without considering the action irrespective of whatever this thought may entail in terms of actions. For example, the Muslims going forth in the apostasy (*ridda*) wars was discussed by Abu Bakr as being in the sphere that a faction under his rule had rebelled against the implementation of the laws of the *Sharī'ah*. 'Umar discussed it in the sphere that it constitutes fighting a faction which is strong and is challenging the state and the state may not be able to fight them. Thus, Abu Bakr said: "By Allah! If they withhold from me the cord of a camel which they used to give to the Messenger of Allah ﷺ I will fight them!" When the issue became clear to him 'Umar had no choice but to retract from his previous opinion and follow the correct opinion, which was the opinion of Abu Bakr because in reality the issue was that a faction under the Islamic rule had rebelled. The issue was not that a large faction was challenging the state. The real discussion is not about going out to war or not going out as was the case in *Uhud* rather it is about whether

the bedouin's refusal to pay *Zakah* after the death of the Messenger ﷺ and their challenge to state constitutes rebellion against the *Shari'ah* rule or a challenge to the state by a large faction. This is the actual discussion. Therefore, it was a discussion about an opinion which leads to a thought, for which reference is only made to the correct opinion. The correct opinion is that a faction under the rule of the Islamic state had rebelled against the implementation of the *Shari'ah* rules. For example, Mu'awiyya's request for the arbitration (*tahkeem*) of the Qur'ān between him and *sayyidina* 'Ali by raising aloft the *mushafs,* was that a true arbitration of the Qur'ān or was it a ploy against sayyidina 'Ali ? 'Ali ﷺ saw it as a ploy and many people with him viewed it as an arbitration of the Qur'ān. So, this subject should be studied in order to arrive at the true significance of raising the *mushafs* (scripts) which constitutes an opinion that leads to a thought, So the correct opinion is referred to which is that it was a ploy against *sayyidina* 'Ali. For example, does the increase in the number of rulers weaken a state or strengthen it? In other words, as the number of rulers decreases, does the state become stronger or whenever their numbers decreases does the state become weaker and whenever their number increases does the state become stronger? In other words, does the cabinet in the democratic system become stronger whenever its members decrease and weaken whenever its members increase or is it the opposite? Does the state in the Islamic system become stronger whenever the number of the *Khalifah*'s assistants (*mu'awwinin*) decrease and weaken whenever their numbers increase, or is it the opposite? This issue is studied in order to arrive at the true reality. So it is an opinion which leads to a thought and in this subject the correct opinion is accredited which is that whenever the number of rulers increases the state becomes weaker and whenever their number decreases the state becomes stronger.

These are three examples of the opinion which leads to a thought. It is clear from these that the area of discussion is the subject and not the action even though the discussion in the subject would ensure actions yet the discussion is not focussed on the action but on a thought which upon becoming clear entails the undertaking or non-undertaking of an action or undertaking an action in a manner which is necessitated by the thought which has been discussed. So the discussion is for the purpose of arriving at an opinion in a subject i.e, to a thought. Once a thought is reached a decision will be made on the subject of the action in light of the thought arrived at after the study. The opinion which is being studied will not lead directly to an action rather it will only lead to a thought. The thought which is reached may entail the undertaking of an action or it may not. Consequently, it is an opinion which leads to a thought. As for the opinion which leads to an action, the undertaking of an action is discussed considering the subject upon which this action depends, so the area of discussion is the undertaking of an action and not the subject. The purpose of discussion is to determine whether or not to undertake an action or to undertake an action in a specific manner, the purpose is not to discuss a subject, For example when it is intended to elect a *Khalifah* and give *Bay'a* to him the subject of *Khilafah* is not discussed, Whether it is obligatory (*fard*) or preferred (*mandub*) and nor is the discussion; should we elect a president (of a republic) or a *Khalifah*? What should be discussed is: should so-and-so be elected and given *Bay'a* or should a different person be elected and given *Bay'a*? When the state's action of taking a loan is discussed, the discussion should not be on the issue of whether or not it is allowed to take the loan rather what should be discussed is: whether the loan is to be taken or not ?. And when the building of a new road is discussed, the discussions should not be whether or not it is allowed to open this road due to the presence of another road taking its place but what is discussed is whether the road should be opened or not, the action itself is discussed in terms of whether or not to undertake it. The subject which is entailed by this action is not discussed. The discussion of a subject is an opinion which leads to a thought but the subject is not the area of discussion rather the subject under the area of discussion is whether to undertake an action. Then it will be considered a discussion about an opinion which leads to an action. So the opinion will be put forward in order to undertake an action. For example, when Abu Bakr consulted the Muslims with regards to who will be *Khalifah* after him, it was a discussion about

the election of a *Khalifah* i.e, should so-and-so or so-and-so person be elected. Definitely, the discussion was not about the issue of *Khilafah*. It was a discussion about an opinion which leads to an action. For example when the agreement of arbitration between Mu'awiyya and *sayyidina* 'Ali was finalised, a discussion took place about selecting a mediator on the side of 'Ali ﷺ. 'Ali ﷺ chose 'Abdullah ibn 'Abbas but most of the people with him chose Abu Musa al-Ash'ari. This discussion was about who will be the mediator and not about the issue of accepting arbitration. So it was a discussion about an opinion which leads to an action. For example, if the Muslim populace take the view that they should establish heavy industry to manufacture all types of machinery and equipment in order to fulfil the elements necessary for the state to carry the Message (of Islam) but their rulers take the view that they should establish dams and encourage agriculture in order to improve the livelihood of the farmer, this discussion is about whether to pursue heavy industry or to undertake the construction of dams. The discussion should not be whether the state should carry the Message (of Islam) or not. So the discussion is about an opinion which leads to an action.

These are three examples of the opinion which leads to an action, and it is clear that the area of discussion is the action and not the subject. These actions even if they depend on certain issues, their discussion however is not focused on these issues rather on the undertaking of the action Therefore, the discussion is about the action and not about the opinion.

From this discussion and the above examples, it is clear that there is a difference between the opinion which leads to a thought and the opinion which leads to an action even though this subtle difference requires reflection and scrutiny. All this is in relation to the confusion that can occur with respect to the difference between an opinion which leads to a thought and the opinion which leads to an action. As for the confusion that may occur with regards to the difference between the incident of *Badr* and the incident of *Uhud*; it might be claimed that there is no difference between the incident of *Badr* and the incident of *Uhud*. Why should the incident of *Badr* be considered as an opinion which leads to a thought and the incident of *Uhud* be considered as an opinion which leads to an action when both involve going into battle and there is no difference between them? The answer to this is that there is a clear distinction between the two incidents since the reality of the incident of *Badr* is different to that of *Uhud*. The issue in *Uhud* was: Should they go out or remain in Madina? It was to do with zeal and cautiousness, the discussion was not about a (strategic) position in war. This is why we find the Prophet ﷺ, when he came to organise the army in a strategic position on the mountain of *Uhud*, he assumed the task of organising them himself. He made the marksmen wait in the rear and ordered them not to attack (the complete story is available in AlBukhari), for this action he did not refer to the opinion of the people. As for the reality of *Badr* the issue was purely the question of arranging the army in a strategic position. So for this action the Messenger of Allah ﷺ referred to the correct opinion. This is from one perspective. From another perspective the evidence for this is not just the action of the Messenger ﷺ but it is his action and his saying as well. So the Messenger's ﷺ saying,

﴿بل هو الرأي والحرب والمكيدة﴾

"It a matter of opinion, war and strategy,"

is also an evidence.

One issue still remains; who will be the one to expound what is right and that his opinion is considered to be the preponderant? We have explained that in the *Shari'ah* rules the *quwwa addalīl* (strength of the evidence) is preferred, and in the opinion which leads to an action, the view of the majority is preferred. And that in the opinion which leads to a thought, the technical matters and questions of definition, in all these matters the correct opinion is preferred. It remains for us to identify who will expound the right opinion and whose opinion will be preponderant. The

answer is that the one who outweighs the correct opinion is the one who has jurisdiction over the matter in question, he is the one who leads the people that is, their leader, since he is the one who assumes the task of consulting the people. When the community consults each other, it only does that to reach an opinion so as to proceed according to it. To proceed according to it as a community it becomes necessary to have a leader over them so only he should have the authority over the matter for which the consultation takes place. The one to outweigh the correct opinion should be only him, the one who leads the people. The evidence for this is the verse which states:

﴿وَشَاوِرْهُمْ فِي الْأَمْرِ﴾

"*And consult them in the matter. Then when you have taken a decision, put your trust in Allah*" [TMQ aal-Imrān: 159]

So the *shura* was performed by the Messenger ﷺ and he was the leader of the Muslims. Allah ﷻ gave him the right to decide, to implement what he decides after the consultation i.e, what he views as being correct. So he was the one who outweighed what was correct. Likewise, it is the same situation with any leader of a people because this is not special to the Messenger ﷺ but general to all Muslims. This is because the speech of the Messenger ﷺ is a speech to his *Ummah* as long as there is no evidence to specify it to him. And here there are no evidences to make it specific to the Messenger ﷺ. So it is general (*'aam*).

As for when the community does not have a leader and it wishes to select some one who will have the right to outweigh the correct opinion. In this situation the community should choose a single person only so that he will have the right to outweigh the correct opinion. The community is not allowed to choose more than one person. This is because outweighing the correct opinion cannot be undertaken by more than one person. Indeed the majority might state the correct opinion and the correct opinion might lie more with two persons as opposed to one but the issue is not the possibility of with whom the correct opinion lies rather who will outweigh the correct opinion. Is it one person or two? That cannot be possible for the majority, because following the majority (opinion) is contrary to adopting the correct opinion. They are two opposite issues. Thus, the majority is adhered to irrespective of the correct opinion, and the correct opinion is adhered to irrespective of the majority.

As for the fact that only one person should outweigh the correct opinion and that it is not permitted for more than one person to do so. This is obligatory due to a number of reasons:

First: That reality of the correct opinion makes it inevitable that there should be one person because if the outweighing is left to two, three or more persons they will only disagree. And this disagreement of theirs will force them to refer to arbitration. If they appoint two people as arbitrators they will only disagree so the judgement will have to go to one of them. Then the right to judge will have been referred to one person only. If they appoint three arbitrators then their disagreement will be unavoidable, then the judgement will be given either to one or two persons. If they refer to two persons then they would have referred to the majority opinion whereas it is required that they refer the correct opinion, It becomes inevitable that they refer to one person. Therefore, it is imperative that from the beginning the judgement is given to only one person i.e, the one who outweighs the correct opinion should be one person only. The disagreement that occurs between two or three persons occurs between people of greater number than that. So passing judgement should not be given to more than one person because when more than one person is given the right to pass a judgement, the judgement goes to the majority and not to what is right. What is intended is the judgement on the correct opinion and not the majority.

Second: The basis in outweighing the correct opinion is that it should only be for the one in authority and it should be only one person because if he is an *ameer* i.e a leader then he can only be one person and if he is implementing the matter for which the consultation took place then he should be one person only because two persons will unavoidably disagree about the styles of implementation, their disagreement will obstruct the implementation. Therefore, the person in authority should only be one. Consequently, the person who outweighs the correct opinion should be one person only.

Third: For the Muslims the post of the *Khilafah* is the greatest thing. The Islamic Law has granted the *Khalifah* the sole authority to outweigh one rule over another in the adoption of rules and it has given him the right to be alone in his adoption based on the strength of the evidence and it has given him the sole right to outweigh the correct opinion. He has the sole right to declare war, conclude a treaty, define the relationship with the *Kafir* nations and anything else that comes under the authority of the *Khalifah*. The looking after the affairs has been made subject to his opinion only, according to what he sees as being correct to undertake. The *ijma'* of the *Sahabah* has taken place on this. The opinion of the *Khalifah* is the opinion of one person only so by greater reason (*min bab awla*) for things of lesser importance than that weighty task - that is, the job of the *Khalifah*- the correct opinion should be outweighed by a single person.

This is the matter of *shura* (consultation) and *tashawur* (mutual consultation) which is the adoption of opinions and this is the rule of the *Shari'ah* with regards it. This rule differs completely with the democratic rule. This rule of Allah ﷻ concerning the adoption of opinions is the only true one. Anything else emanating from democracy is false and it cannot be accepted.

Science and Culture

In Arabic language it is said: the man has obtained (*'alima*) knowledge (*'ilm*). This means that he attained the true reality of knowledge (*'ilm*). He gained knowledge of a thing means he became cognisant of it, which means that he became informed of a matter or acquainted with it. Also in the language it is said: He has gained comprehension (*thaqifa*), which means that he has become proficient, thus he is educated and cultured (*thaqif*). He has understood (*thaqifa*) a language (means) he has mastered and understood it swiftly. These linguistic meanings are the basis of the use of words, However if these words were used to indicate other meanings that relate to the linguistic meaning then that is permitted, like in the case of the adoption of the word *fa'il* (subject) in grammar for example. The linguistic meaning (of the words) was prevailing and this is why the ancients used to apply the word *'ilm* on all forms of knowledge without differentiating between the sciences and disciplines. Then people began to consider intellectual and natural disciplines as being general to all people whilst other traditional (textual) disciplines were considered specific to the nation from which it was transferred. Subsequently, each of science (*'ilm*) and culture (*thaqafa*) began to be defined according to different specific disciplines, acquiring terminological meanings which were different to their linguistic meanings. According to this terminology they have the following meaning: Science (*'ilm*) is the knowledge which is acquired through observation, experimentation and education like physics, chemistry and the rest of the empirical sciences and culture (*thaqafa*) is the knowledge which is acquired by way of transmission, learning and deduction as in (the study of) history, languages, jurisprudence (*fiqh*), philosophy and the rest of the non-empirical disciplines. And there are other non-empirical disciplines which are included as sciences (*'ilm*) even though they come within culture such as arithmetic, engineering and industry; even though they come under culture (*thaqafa*) they are regarded as part of science because they are universal to all people and not specific to any one nation. In a similar way anything from the culture related to crafts which resemble industry such as trade and shipping; they are considered to be part of science and they are universal. As for the arts such as; painting, sculpture and music they are part of culture. They follow a particular viewpoint; which is a specific culture. The difference between culture (*thaqafa*) and science (*'ilm*) is that science is universal to all nations and not specific to any nation to the exclusion of another nation. As for culture (*thaqafa*) it might be specific, being ascribed to the nation from which it resulted or it may be part of the nation's specific and particular characteristics such as literature and biographies of heroes, and their philosophy concerning life or they may be universal such as trade, shipping etc. Therefore, science is adopted universally from all nations because it is universal and not specific to any particular nation. As for culture (*thaqafa*) the nation should begin with its own culture, when she has studied it and is cognisant of it until it becomes focused in their minds then they can study other cultures.

The Muslims used to differentiate between the sciences which a person used to attain by himself and the sciences he used to receive from others. Ibn Khaldun says in his book *al-Muqaddima*:

"العلوم صنفان: صنف طبيعي، للإنسان أن يهتدي إليه بفكره. وصنف نقلي يأخذه عمن وضعه. والأول هو العلوم الحكمية والفلسفية وهي التي يمكن أن يقف عليها الإنسان بطبيعة فكره، ويهتدي بمداركه البشرية إلى موضوعاتها ومسائلها وأنحاء براهينها ووجوه تعليمها، حتى يقف نظره وبحثه على الصواب من الخطأ فيها من حيث هو إنسان ذو فكر. والثاني هو العلوم النقلية الوضعية، وهي كلها تستند إلى الخبر عن الواضع الشرعي، ولا

مجال فيها للعقل إلاّ في إلحاق الفروع من مسائلها بالأصول"، وقال: "إن العلوم العقلية أو الطبيعية مشتركة بين الأُمم، لأن الإنسان يهتدي إليها بطبيعة فكره. وأما العلوم النقلية فمختصة بالملّة الإسلامية وأهلها"

"The sciences are of two types: A natural type which is for man to arrive at through his thinking and a textual type which he takes from the one who authored it. The first are the philosophical and aphoristic sciences which he can seek by his thought and be guided through the human faculties to its subjects and issues and all its decisive proofs and aspects of its teachings. So as in his discernment and study he attains the correct (opinion) from the incorrect, in his capacity as a human being possessing the faculty of thought. The second are the textual and written sciences. They depend on the report coming from a *shar'i* source. The mind has no scope in this regard except to relate the branch issues to the *usul* (foundation)".

He also said "The rational or natural sciences are common to all nations since man arrives at them naturally through his thought. As for the textual sciences they are specific to the Muslim religion and its adherents."

It appears that what Ibn Khaldun meant by specifying the textual sciences with the Islamic *millah* was only an example because nations other than the Islamic nation as well have textual sciences specific to them such as their legislation and language. Ibn Khaldun's statement does not indicate that he distinguished between science and culture. It only indicates that he distinguished between textual and rational sciences. His comments are not an evidence to say that the Muslims used to differentiate between science and culture rather they are an evidence to prove that the Muslims used only to differentiate between disciplines. Thus, they divided them into two sections. However their division was in terms of their general acquisition and not in terms of the manner of acquisition. So they designated them as rational sciences i.e, acquired via the mind. And textual sciences acquired from the text. However, people today differentiate between disciplines in terms of the manner in which they were received. Thus, they apply the term 'science' (*'ilm*) on anything that is acquired through the empirical method and they apply the term 'culture' (*thaqafa*) on anything acquired by means other than the empirical method.

The Islamic Culture

The Islamic culture are the disciplines the study of which is occasioned by the Islamic *'aqīdah* (creed), whether these disciplines included the Islamic *'aqīdah* and what guarantees its purity such as theology (*ilm al-Tawheed*) or they are based on the Islamic *'aqīdah* such as *fiqh* (jurisprudence), *tafsīr* and *hadīth* or whatever became necessary for the comprehension of rules emanating from the Islamic *'aqīdah* such as the sciences of the Arabic language, terminological classification of *hadīth* (*mustalah al-hadīth*) and science of the foundations of jurisprudence (*'ilm al-usul*).

All of the Islamic culture is referable to the Qur'ān and Sunnah. And it is from them and through their comprehension and according to them that all the branches of the Islamic culture have been acquired. They (the Quran and Sunnah) are also from the Islamic culture because the Islamic *'aqīdah* obliges the adoption and adherence to whatever has been mentioned in them. The Qur'ān was revealed to the Messenger ﷺ so that he clarified it to the people. Allah ﷻ said:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"*And we have sent down unto you (Muhammad (saw)) the reminder and the advice (Qur'ān), that you may clearly explain to men what was sent down to them.*"

[TMQ Nahl: 44]

And He ﷻ ordered the Muslims to take whatever the Messenger ﷺ brought. He ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"*And whatsoever the Messenger (saw) gave you, take it, and whatsoever he forbade you, abstain (from it).*"

[TMQ Hashr: 7]

Adopting whatever the Messenger ﷺ has brought cannot be possible without comprehending and learning it. Owing to the presence of disciplines which were required to understand the Quran and Sunnah many types of Islamic disciplines arose and the Islamic culture came to have a specific meaning which included: the Quran, Sunnah, Arabic language, conjugation (*sarf*), grammar, rhetoric (*balaagha*), *tafsīr*, *hadīth*, classification of *hadīth*, foundations of jurisprudence (*usul*), theology (*tawheed*) and other Islamic culture disciplines

The Method of Study in Islam

The Islamic culture has a method of study, and this method is summarised in three points:

First: That the study should be deep until the matters are correctly comprehended because this culture is conceptually profounf and its study requires patience and forbearance. Culturing oneself with it is an intellectual process which requires mental exertion to comprehend them because it requires the comprehension of its sentences, cognizance of its reality and its linkage with information through which this reality is understood. This is why it is essential to acquire this culture intellectually. For instance, the Muslim is obliged to adopt his creed through ration and not by unquestioning submission. So, the study of whatever relates to the basis of the creed inevitably requires an intellectual process at the time of study. The *Sharī'ah* rules have been addressed in the Qur'ān and *hadīth*. So, to deduce the *Sharī'ah* rules the use of the intellectual process is imperative. Through it, the problem, the relevant text and its application on the problem is understood. For this the intellectual process is indispensable. Even the layman

(*'aammi*) who adopts the *hukm* without knowledge of its evidence needs to understand the problem and understand the *hukm* which has been brought to solve it so that he does not adopt the *hukm* which is for a problem other than the problem to which the *hukm* applies. It is imperative that he utilises the intellectual process. Therefore, to culture oneself with the Islamic culture, whether he is a *mujtahid* or layman (*'aammi*) he must receive the culture intellectually. This will not be possible except through the intellectual process and by exerting ones utmost effort in study.

Second: The student should believe in what he studies so that he acts upon it i.e, he definitely believes the truths he is studying without any doubts creeping in, if it relates to the *'aqīdah* (creed) and he should have the least amount of doubt that it applies to the reality if it is from the non-*'aqīdah* issues such as rulings and morals, but they must be founded on a basis in which he has a definite belief with no doubt. Whatever the case, belief in what the student adopts from what he studies is a condition, belief either in what he adopts or in the origin of what he adopts, the adoption of culture in any other manner is not permitted. It is through making the belief the basis of adopting culture that the Islamic culture is found to settle down in an excellent and distinguished manner. It is deep and at the same time stimulating and effective giving the student a blazing energy thereby igniting a fire which devours corruption and emits a light which illuminates the path to well-being. The definite belief in these thoughts ensures a definite linkage which naturally takes place within man, between his reality and the concepts he has about things which are linked to these thoughts in their capacity as meanings about life. So with these thoughts he moves with eagerness and zeal towards action. This extraordinary effect of the culture on people's minds will take place when the emotions (contained by the thought) move towards the reality because to believe in it constitutes the linkage of emotions with their concepts and then the movement (towards action) takes place.

Third: The student should study the thoughts in a practical way that aims at treating the tangible perceptible reality, and not a study based on theoretical suppositions, so that he describes matters as they are in their true form, to treat and change them. He should take the existing facts about man, life and universe which he senses or he can sense and study them in order to treat them and give the ruling with regards to them until he can determine his position regarding them in terms of whether to adopt them, leave them or have the choice whether to adopt or leave them. Thus, Islam does not allow people to follow theoretical assumptions. For example: What if people live on Mars, how can they fast the month of Ramadhan there? There is no moon there so as to have the month of Ramadhan! Only the person on earth he is subject to the address (*khitab*) and he must witness the month of *Ramadhan* and he must fast that month. However, the cloud might prevent the people from seeing the moon so he passes a judgement for this event when it occurs. Hence, the Messenger ﷺ said:

﴿صوموا لرؤيته، وأفطروا لرؤيته، فإن غُبِّي عليكم فاكملوا عدة شعبان ثلاثين﴾

'When you see the crescent (of the month of Ramadhan), start fasting, and when you see the crescent (of the month of Shawwal), stop fasting; and if the sky is overcast (and you can't see It) then regard the crescent (month) of Ramadhan (as of 30 days).'

[Reported by Bukhari]

Therefore, it is stipulated in adopting the culture that it be real and not fanciful or theoretical. And that it should be studied in order to act upon it when its reality occurs in his life not for the purpose of knowing its beauty or for the sake of mere intellectual gratification.

This is the method of Islam in study which is an in-depth study and belief in what is arrived at by study or belief in what is being studied and realistically adopting it to apply it in the battlefield of life. If the conditions of the method of study are met then the Muslim who has cultured himself

with the Islamic culture will have deep thinking with a sharpened sensitivity and be able to solve lifes problems. This ensures the Muslim naturally follows the path of perfection, willingly and with choice, He will not deviate from it as long as he proceeds according to this method because the Islamic thoughts he adopts from this culture are stimulating, effective, based on reality, true and effective solutions for problems. In addition to setting the one cultured by it aflame with zeal, it gives the Muslim an extraordinary ability to face the problems of life with solutions however great or small, easy or difficult they may be. Thus, a mentality (*'aqliyya*) forms within him which can only be content when the mind is convinced and the heart is filled with tranquillity. At the same time an Islamic disposition (*nafsiyya*) is formed within him which is filled with a belief which is consummate. And through this mentality (*'aqliyya*) and disposition (*nafsiyya*) the person is characterised by excellent qualities which Islam demands from the Muslim and through this mentality (*'aqliyya*) and disposition (*nafsiyya*) he overcomes all the difficulties that stand as obstacles in his way. This is due to what we see in the substance of this Islamic culture in terms of deep and enlightened thoughts and due to them being based on the *'aqīdah* (creed) which represents man's comprehension of his relationship with Allah ﷻ. So, the Islamic culture is either from Allah ﷻ or deduced from that which is from Allah ﷻ in terms of the Qur'ān and Sunnah. It has an intellectual aspect in terms of it being a thought, and at the same time it has a spirit (*ruh*) in terms of realising the relationship with Allah ﷻ when he adopts the culture in its capacity as coming from Allah ﷻ. Thus, it ensures that anyone cultured by it has deep and enlightened thought with a burning, fiery enthusiasm. He sells himself to Allah ﷻ in the path of Islam seeking the Good Pleasure of Allah ﷻ. Also, you will find that the one cultured by the Islamic culture knows what he wants and knows how to solve the problems of life because he has learnt the truth with which he faces the battlefield of life. Thus, he plunges into the trials and tribulations of life. He has been endowed with the best of provisions which is the enlightened thought, *taqwa* (fear of Allah ﷻ), and knowledge which solves all problems. This is the culture which brings together all that is good.

Acquisition of Culture (*thaqafa*) and Sciences

Encouraging the study of Islamic culture does not mean restricting the Muslims to its study alone , infact, what is meant is that it should be made the basis for culturing, teaching, and the basis for the permissibility of studying other cultures and sciences. The Muslim has the right to learn whatever he wants from the cultures and learn the sciences that appeal to him. However, the Islamic personality (*shakhsiyya islamiyya*) must be the basic premise around which the acquisition of any culture revolves. The Muslims endeavoured to teach their sons the Islamic culture first and only after they were assured that this culture was consolidated in their minds did they open the doors to the study of other cultures. And it is only this method of learning which keeps the Islamic personality Islamic and none other, having specific attributes which distinguish it from the other human personalities.

It is required, when taking from non-Islamic cultures that it is not taken except after becoming satisfied that the Islamic culture has been consolidated and has become deep rooted in the minds. This is not stipulated for sciences because sciences do not have a bearing on the Islamic culture since they are universal. It is essential that Muslims continue to persevere with utmost effort in the path of learning sciences since they are from the means of life. It should be noted however, with regards to the teaching of sciences that its results should concur with the viewpoint of Islam so that it strengthens the *'aqīdah* (creed) and not shake peoples conviction in it. When a scientific theory or law contradicts the text of the Qur'ān which is definite in meaning and authenticity then it is not taken and nor is any topic of learning adopted since it is speculative (*ẓanni*) and the Qur'ān is definite (*qat'i*). For example, Darwin's theory regarding the origin of human beings contradicts the text of the Qur'ān with respect to the creation of Adam ﷺ, therefore, this theory is rejected because it contradicts the Qur'ān. Even though Islam did not make the Qur'ān a basis of acquiring scientific knowledge however it must be noted that these sciences should not contradict the Islamic *'aqīdah* (creed).

In short, the Islamic *'aqīdah* (creed) must be adhered to completely when provided with cultures and sciences by making the Islamic personality the basic premise in acquiring any culture making sure that the sciences do not contradict the Islamic personality when acquiring scientific knowledge. It is this adherence which will maintain the presence of the Islamic personality in the Muslims and make the Islamic culture affect other cultures and ensure its continuation as an Islamic culture which is distinguished from the rest of the cultures of the world and when this adherence vanishes and the Muslims become negligent regarding it they will acquire other cultures on a basis other than Islam. They will not take the Islamic *'aqīdah* (creed) as a benchmark when taking the sciences. This will lead to the presence of an evident danger on the Islamic personality, infact on the whole Muslim *Ummah* if it continues in this path for a period of a generation or more.

The Cultural Movement

The Muslims conquered lands in order to carry the Islamic *Da'wah* to its people. The nature of carrying the Islamic *Da'wah* necessitates the presence of a cultural movement. This is because Islam is a message which requires study, research and reading and since its very nature necessitates that it is studied and understood. It requires the one who has conviction in it to study anything that has an effect in elevating the standard of life. Thus, many of those people who opened up lands were scholars (*ulama*), proficient in the recitation of the Qur'ān (*qari'een*), and those who could write (*katibeen*). They were accompanied by the scholars, reciters and scribes so as to teach in the newly conquered lands because in every conquered land a mosque would be built for prayer and for the purpose of teaching men, women and children. The *Ulama* were the ones who assumed the responsibility of teaching the people the Qur'ān, *hadīth* and *ahkām*. They also assumed the responsibility of spreading Islam. Thus, the cultural movement aimed at teaching and spreading Islam. It was an Islamic cultural movement. However, in addition to that it also used to include historical, linguistic and literary aspects.

The position of Muslims with regards to non- Muslim cultures

The Muslims conquered Persia, Iraq, the Sham region, Egypt, North Africa and Spain. These countries had different languages, nationalities, cultural norms, laws and traditions. They also used to have different cultures (*thaqafat*). When the Muslims entered these lands they carried to them the Islamic *Da'wah* and they applied on them the system of Islam. However, they did not coerce people to accept rather the strength of the Islamic ideology, its truthfulness, simplicity of its creed and nature had affected them. So they entered into the *deen* of Allah ﷻ in crowds. Not to mention that the understanding of Islam was easily accessible to all. The *Ulama* used to accompany the armies in the state of war and travel to the newly conquered country to teach the people the *deen*. Owing to this a strong Islamic cultural movement took place in the conquered lands. This had a big effect on people's understanding of the reality of the deen and its culture. Islam affected the thoughts and also affected the cultures which were present in the conquered countries. All the mentalities were fused together into an Islamic mentality (*'aqliyya islamiyya*).

Although Islam assumes the role of the universal intellectual leadership and works to save mankind, it does not however impose itself on the people by force, even though it does prepare the power to protect its *Da'wah* (Call) and to carry it to the people. Likewise, it prepares the minds and intellects of people with the Islamic culture so that they are able to comprehend the truth of Islam. Thus, its attitude with people regarding its culture was in a definite manner. The Muslims understood this when they emerged from the Arabian Peninsula to spread Islam through conquest. They entered these lands and carried Islam to them: they carried to them the Qur'ān, the Prophet's Sunnah and the Arabic language. They used to teach the people the Qur'ān, *hadīth*, the rules of the *deen* and they used to teach them the Arabic language also. They used to restrict their attention to the Islamic culture. That is why the period of rule over these countries did not continue until the old culture of the conquered countries began to disappear and die away. The Islamic culture became the sole culture of the country and Arabic language became the sole language of Islam. It was the only language used by the state. Therefore, the culture of all the Islamic lands despite the disparity in their people and language became one culture which is the Islamic culture. And this is despite the fact that the people of Persia had a culture different to that of the people of *al-Sham* (the levant region) and the people of Africa had a different culture to that of the people of Iraq and the culture of the people of Yemen was different to that of the people of Egypt. All of their mentalities became one mentality which is the Islamic mentality. And their culture became one which is the Islamic culture. Due to this, all the conquered nations along with the Arab nations became one nation, the Islamic nation after they had been different nations and these different peoples became one *Ummah* which is the Muslim *Ummah* after being divided and scattered people.

The orientalists rely on a false proposition and some Muslim scholars themselves have fallen prey to it, they claim that foreign cultures such as the Persian, Roman, Greek and Hindu cultures etc. had an effect on the Islamic culture and the justification is a manifest misguidance when they claim that many of these foreign cultures had penetrated the Islamic culture. The reality is that the Islamic culture entered the conquered lands and in its capacity as the culture of that country it completely affected the (indigenous) culture such that these cultures generally ceased to exist. It assumed the place of the original culture and became the sole culture of the land.

As for the suspicion that the Islamic culture was affected by the non-Islamic cultures, this suspicion comes from the intentional distortion on which the non-Muslims depend when changing the concepts about things, It also comes from the shortsightedness of some researchers. Yes, the Islamic culture did benefit from and make use of the foreign cultures. It

made them a means for its own productivity and growth. However, this does not constitute effect (*ta'aththur*) but rather benefiting (*intifa'*) from them. This is necessary for all cultures.

The difference between being effected by and deriving benefit from something is: that being affected by the culture is to study it and adopt the thoughts that it contains and incorporate them into the thoughts of the first culture due to the mere presence of a similarity between them and due to the mere preference for these thoughts, being effected by a culture leads to believing in its thoughts. If the Muslims were to be effected by the foreign culture in the beginning of the conquests then they would have transferred, translated and incorporated Roman law into the Islamic Law considering it as a part of Islam. They would have also made Greek philosophy a part of their beliefs and in their lives they would have followed the way of the Persian and Romans by allowing the affairs of the state to be guided by what they saw as beneficial to them. If they did that then Islam would have followed a disorderly and confused course from the beginning of its emergence from the Arabian peninsula and its thoughts would have completely mixed up, causing it to cease being Islamic. This is what it means to be affected by another culture, if indeed that is what happened. As for benefiting from another culture, it constitutes the deep study of another culture and knowledge of the difference between its thoughts and the thoughts of the Islamic culture. Then taking the meanings in that culture and the similarities that it contains and enriching the literary culture, and improving the rendition of these meanings and similes without allowing any contradiction to enter the thoughts of Islam and without taking any thoughts from its concepts about life, legislation & *'aqīdah* (creed). The restriction of benefiting from the culture and not being affected by it means that its study constitutes only information which does not affect the viewpoint about life. The Muslims from the beginning of the Islamic conquests until the era of decline in which the cultural and missionary invasion took place during the middle of the 18th Century C.E used to make the Islamic culture the basis of their culture and they used to study the non-Islamic cultures to benefit from them in terms of the meanings about things in life & not to have conviction in their thoughts and this is why they were not effected by them, rather they only benefited from them which is contrary to the situation of the Muslims after the western cultural onslaught against them, they studied the western culture and they came to like its thoughts. Amongst them there were those who came to be convinced of such thoughts and abandoned the Islamic culture...and there were those who liked these thoughts and included them in the Islamic culture as being part of it and some of it came to be considered as Islamic thoughts even though they contradict Islam. Many of them for example, used to consider the well known democratic principle

"الأُمة مصدر السلطات"

'The *Ummah* is the source of authority'

as an Islamic principle even though it meant that the sovereignty would be for the people and that the *Ummah* would pass legislation and enacts canons. This contradicts Islam because the sovereignty is only for the *Shari'ah* and not the *Ummah* and the laws are from Allah ﷻ and not from the people. There were many who tried to make Islam democratic, Socialist or Communist. Even though Islam contradicts democracy because the ruler only implements the *Sharī'ah* and he is restricted by it. He is not employed by the *Ummah* and nor does he implement their will. Rather, he looks after their interests according to the *Sharī'ah*. Likewise, Islam contradicts Socialism because for it ownership is restricted to the mode and not restricted by the amount. Also, it contradicts with communism because Islam makes the belief in Allah ﷻ the basis of life and advocates private ownership and acts to protect it. Making Islam Democratic, Socialist or Communist by preferring those thoughts constitutes being affected by the foreign culture and not benefiting from it. What is worse is that the Western Intellectual leadership is a creed which contradicts the creed of Islam. Some were affected by it and the educated amongst them began to say that religion should be separated from the state! And the uneducated amongst them would

say religion is contrary to politics!! And do not enter politics into the religion...which indicates that the Muslims in the era of decline after the cultural invasion had studied the non-Islamic culture and were affected by it contrary to the situation of the Muslims before who studied the non-Islamic cultures and benefited from them but were not affected by their thoughts.

By examining the manner in which the Muslims studied the non-Islamic culture and the manner in which they used to adopt it, the nature of benefiting from it and becoming affected by it becomes clear. Someone who scrutinises the Islamic culture will find that it has *Sharī'ah* disciplines like *tafsīr* (Qur'ānic exegesis), *hadīth*, jurisprudence etc, and it has disciplines relating to the Arabic language in terms of grammar, declension, literature and rhetorics (*balaagha*) etc and it has rational disciplines such as logic (*mantiq*) and theology (*tawheed*). The Islamic culture does not go beyond these three categories. As for the *Sharī'ah* disciplines, they were not effected by the non-Islamic cultures and nor did they benefit from them at all. Since their basis is restricted to the Qur'ān and Sunnah. The *Fuqaha* (jurists) did not benefit from the non-Islamic cultures and nor did they study them because the Islamic Law has abrogated all the previous *Sharī'ahs* and their adherents have been ordered to leave them and follow the *Sharī'ah* of Islam and if they did not do that they will be considered as disbelievers. Therefore, the *Sharī'ah* does not permit the Muslims to adopt those *Sharī'ah's* or to be effected by those cultures because they are restricted to adopting the rules of Islam only, anything else is considered *kufr* (disbelief) and it is forbidden to adopt it. However, Islam has a single method in adopting rules which cannot be surpassed. This method involves the understanding of the existing problem and the inference of a ruling for it from the *Sharī'ah* evidences. Therefore, there is no scope for studying any jurisprudential culture in relation to the Muslims adopting rules. Thus, the Muslims were not affected by the Roman Law or any other law. They definitely did not adopt from it and nor did they study it. Even though the Muslims did translate philosophical and some scientific works but they did not translate anything from the non-Islamic jurisprudence or legislation whether Roman or anything else which indicates decisively that the non-Islamic cultures did not have a presence amongst the *Fuqaha* (jurists), whether for the purpose of study or benefiting from them. Indeed, the law did grow and expand, its growth and expansion is attributable to what took place in front of the Muslims in terms of problems which needed a solution. The extensive economic problems faced by the Islamic state and the issues occurring in different aspects relating to this state pushed the Muslims, by virtue of their *deen*, to perform *Ijtihād* regrading these issues according to the principles of Islam and pushed them to deduce rules to solve these problem from the Qur'ān and Sunnah or whatever the Qur'ān and Sunnah alluded to in terms of evidences. This is what their *deen* ordered them to do and this is what our Master Muhammad, the Messenger of Allah ﷺ made clear to them. It has been narrated about him ﷺ that when he sent Mu'az to Yemen he said to him:

﴿كيف تقضي إذا عرض لك قضاء؟ قال: أقضي بكتاب الله. قال: فإن لم تجد في كتاب الله؟ قال: فبسنة رسول الله ﷺ. قال: فإن لم تجد في سنة رسول الله؟ قال: أجتهد رأيي ولا آلو. فضرب رسول الله ﷺ صدره وقال: الحمد لله الذي وفق رسول رسول الله لما يرضي رسول الله﴾

"By what will you pass judgement ?' He said: By the Book of Allah. The Prophet ﷺ said: If you do not find it there ? He said: By the Sunnah of the Messenger of Allah ﷺ He said: And if you do not find it ? He said: 'I will exercise my own Ijtihād' He ﷺ said: 'Praise be to Allah who has made the messenger of the Messenger of Allah to accord with what Allah and His Messenger loves"

[Reported by Abu Dawud]

Thus, it was *fard* on the Muslims to perform *Ijtihād* to deduce the *Sharī'ah* rule for each issue that occurred. And the rules that were deduced were Islamic *Sharī'ah* rules, deduced from the Quran and Sunnah or whatever the Quran and Sunnah alluded to in terms of evidences.

As for *tafsīr* (Qur'ānic exegesis), they used to explain the verses of the Qur'ān and attempted to expound the meanings of verses either according to what was indicated by the words and sentences, in terms of the linguistic and *Sharī'ah* meanings or by admitting things occurring which fell within the meanings of those words and sentences. Even though the *tafsīr* began to expand and the clarification of the meanings of verses became more detailed but Roman and Greek concepts relating to the viewpoint about life or legislation, considering them as coming from non-Islamic cultures were not inserted into the *tafsīr* literature. Indeed, there were fabricated and weak *ahadīth* used by some *Mufassirun*. They inserted their meanings into the *tafsīr* of the Qur'ān even though they were not Islamic. However, that is not to be considered as an example of being effected by non-Islamic culture but as interpolation of the Islamic culture, such as the interpolation of *ahadīth* the Messenger ﷺ did not actually utter. There is a difference between interpolating something in Islam with respect to the fabrication of *ahadīth* and being effected by a non-Islamic culture by adopting its thoughts and inserting them into Islam as part of Islam. In short, the *Sharī'ah* disciplines were not affected by non-Islamic cultures. As for the literary and linguistic disciplines etc, the influence of the Arabic language on the rest of the languages in the conquered lands was strong until the other languages disappeared from common usage in life's affairs. The Arabic language was the only dominant language over all affairs of life in its capacity as a political component in the understanding of Islam, because it is the language of the Qur'ān. That is why you will find that the conquered nations after having conviction in Islam participated in strengthening this influence because it was one of the requirements of Islam, the *deen* they came to profess. Therefore, Arabic language was not affected by the languages and culture of the conquered lands. On the contrary, the language itself influenced the land that was conquered and weakened its original languages until some of them disappeared altogether or almost disappeared with the Arabic language remaining as the only language of Islam, the only language used by the state, the common language, the language of culture, science and politics. Although Arabic literature came across material forms in the conquered countries such as gardens, palaces, seas, rivers, scenery etc, it grew with the increase in its meanings, imagination, similes and topics, it benefited from these but it did not become affected by thoughts which contradicted Islam. Thus, we find the aspects related to the creed which contradict Islam, none of the Muslim literary's was affected by them and infact they completely opposed them. Although the Greek philosophy was translated and attention was given to it, however the Greek literature which professed belief in a plurality of gods and gave them anthropomorphic attributes did not gain much currency amongst the Muslims, in fact they did not give it any attention at all. Yes, some individuals did overstep the requirements of what was befitting the Islamic culture. They became vulnerable to meanings not recognised by Islam. Just as the morally depraved amongst the writers and poets did, they included meanings in their poetry which Islam did not agree with. But those were an insignificant few who are not worth mentioning in relation to the Islamic society. However much their literature may have been affected by meanings forbidden by Islam this was not an influence that affected the Islamic culture. Rather, the Islamic culture continued as did the Arabic culture and the Arabic language, free from any suspicion.

As for the rational disciplines, the Muslims due to the nature of their original mission in life, which is the *Da'wah* to Islam, used to clash with the people of other religions and cultures who would arm themselves with Greek philosophy. Refuting and destroying their beliefs and demonstrating their fallacy was imperative. They had to explain the Islamic *'aqīdah* (creed) in a manner these people could understand. That is why the Muslims instituted the science of *Tawheed* (belief in the oneness of Allah) in order to clarify the Islamic *'aqīdah* (creed) and explain it to the

people. Thus, '*ilm al-tawheed* (science of *Tawheed*) came to exist. Even though it comes under the *Sharī'ah* disciplines in terms of the subject, which is the Islamic *'aqīdah* (creed), but it is considered part of the rational disciplines in terms of form and delivery. The Muslims benefited from *mantiq* (logic) and they translated it into Arabic. Consequently, it is clear that the foreign cultures did not affect the Islamic culture, whether in the *Sharī'ah* disciplines, Arabic language or rational disciplines. Only the Islamic culture remained until the end of the period of decline, as a purely Islamic culture. As for the Muslims they also were not affected by any other culture, neither in terms of their way of thinking or in their understanding of Islam. The mentality of the Muslims continued purely as an Islamic mentality. However, there were some individuals who were affected by the foreign rational disciplines. So, new thoughts arose amongst them. And there were individuals for whom the study of foreign philosophies was initiated as a veil over their minds which led them to fall into error in understanding some of the thoughts of Islam or led them to fall into misguidance in their intellectual discussions. They attempted to understand some of the thoughts without restricting themselves to the Islamic *'aqīdah* (creed) and the thoughts of Islam. They are two groups: The first group, it was the error in their understanding which caused them to fall into the situation they found themselves in, but they continued to have an Islamic mentality (*'aqliyya islamiyya*) and Islamic disposition (*nafsiyya islamiyya*). Therefore, their intellectual contribution is considered part of the Islamic culture even though it contained erroneous thoughts, but it was a misunderstanding. The second group, the misguidance in their comprehension was what caused them to fall into the situation they found themselves in. They had completely deviated from the Islamic *'aqīdah* (creed) and came to carry a non-Islamic mentality (*'aqliyya*). Therefore, their intellectual contribution is not considered to be part of the Islamic culture.

As for the first group, the effect of the Hindu philosophy was the reason for their error in their understanding. This is because the Hindu philosophy advocates ascetism and renunciation of the world. Some Muslims became confused and thought ascetism was the same as *zuhd* (pious austerity) which has been reported in some *ahadīth*. It is from this understanding that the *Sufis* arose. This affected the understanding of what it means to take or renounce the world. Even though *zuhd* (living an austere life) in this world means that one should not take the world as ones goal in life, for example, making the procurement of wealth for its own sake the highest goal. It does not mean however that one should not enjoy the good and *halāl* things in life which is contrary to ascetism and the renunciation of the world, both of which mean the abandonment of pleasures and delights in life despite having the ability to attain them. This contradicts Islam. This erroneous understanding originates due to the veil that covered the minds of some Muslims owing to their study of the Hindu philosophy.

As for the second group, their being effected by the Greek philosophy was the reason for their misguided understanding. This is because the Greek philosophy came with thoughts and discussions about things that were beyond the natural world. It set out to discuss the existence of God and His attributes (*sifat*). Those well-versed in it amongst the non-Muslims in the conquered lands attacked Islam which led some Muslims to translate their works and study them so as to respond to those attacking Islam. They tried to reconcile philosophy with Islam. This led to debates whose proponents were affected by the Greek philosophy such as the debate about the creation of the Qur'ān (*khalq al-Qur'ān*) and such as the debate about whether the attribute (*sifat*) was the same as the object being described or external to the thing described and other such discussions. But these discussions stopped at the limits of the Islamic *'aqīdah* (creed). Their proponents adhered to the *'aqīdah* (creed) and restricted themselves to its thoughts. The reasons for their discussions was the Islamic *'aqīdah*, they did not deviate from it. They did not proceed blindly into philosophy outside the applicability of the *'aqīdah*. Their thoughts were Islamic thoughts and their discussions are considered part of the Islamic culture. This is why they did not deviate or become misguided. Their adherence to the Islamic *'aqīdah* protected them from

becoming misguided. Examples of such people are the *Mu'tazila* from scholars of *tawheed*. But there were a small number of people who plunged headlong into Greek philosophy without restricting themselves to the Islamic *'aqīdah*. They studied the Greek philosophy on a purely rational basis without adhering to Islam. They delved into the study of Greek philosophy and began to imitate and emulate it. They began to initiate their own philosophy based on their very own brand of philosophy. They did not permit the Islamic *'aqīdah* to have any effect on their discussions and nor did they acknowledge its presence rather their discussion was a purely philosophical discussion. Even though in their capacity as Muslims certain Islamic aspects did appear in their discussions but that was due to the deep-rooted Islamic concepts they held as was the case with some of the Jewish philosophers. This does not take their philosophy a single step closer to Islam rather it is a rational philosophy proceeding according to the methodology of Greek philosophy. They are the Muslim philosophers such as Ibn Sina, al-Farabi, Ibn Rushd and their likes. This philosophy of theirs was not Islamic and nor was it the philosophy of Islam concerning life, indeed it had no relationship to Islam. It is not considered as Islamic culture because the Islamic creed was not a part of its study. Rather, when they discussed it they did not give Islam any attention. Only Greek philosophy was the object of study and it has no relationship to Islam or the Islamic *'aqīdah* (creed).

This, briefly, is the position of Muslims with regards the non-Islamic cultures. So, the Muslims generally were not affected by them but they did benefit from them, and they definitely did not study the foreign cultures relating to legal rulings. In the *Shari'ah* disciplines nothing can be found relating to the non-Islamic cultures. They benefited from the meanings, allegories and creativity present in the foreign cultures but that had no effect on the Arabic language or Arabic literature. So, from this perspective their study of non-Islamic cultures was by way of benefit and not effect. As for the rational disciplines, they studied them and benefited from them in terms of the style of delivery in logic (*mantiq*) and in *'ilm al-tawheed*. However, Islam and the thoughts of Islam were not affected but some Muslims were affected in their understanding of Islam and this manifested in their behaviour and writings but not in the Islamic culture or Islamic thoughts and this was the case with the likes of the *Sufis* and Muslim philosophers.

This is with respect to the culture. With regards to the sciences such as the natural sciences, mathematics, astronomy, medicine etc, the Muslims studied them and adopted them universally. They do not fall under culture which actually affects the viewpoint about life. They are empirical sciences only and general to all people. They are universal, not specific to any particular nation to the exclusion of others. Therefore, the Muslims took from them and benefited from them.

As for the manner of compiling the sciences and Islamic culture, it grew naturally until it was organised. The Islamic culture began orally, the people transmitted it to each other through hearing, they did not devote themselves to writing down anything other than the Qur'ān until the area of the state had expanded and there arose an urgent need to have the sciences and disciplines written down. Then, gradually the practise of writing increased though it was not according to any specific system. They would write about an issue in *tafsīr*, *hadīth*, jurisprudence, history, literature etc all in one book without arrangement or division into chapters because it all constituted knowledge in their view. There was no difference between one science and another or between one piece of knowledge and another. Rather, all were one science. A scholar was not distinguished by any particular science. Then there was a concentration on writing when the scope of the disciplines expanded and most became unable to encompass it all. So a specific inclination towards one type of science and discipline prevailed amongst each group. Thus, similar issues came to be gathered together. And the sciences and disciplines became more distinct and the *Ulama* began to slowly arrange it in an organised manner. Due to this the thoughts took the course of being arranged and written down until we have examples of such works as the *Muwatta* in *hadīth*, *Kalila wa Dimna* in Arabic literature, *al-Risala* in foundations of jurisprudence (*usul*), the books of *Muhammad* in jurisprudence (*fiqh*), the book *al-'Ayn* in Arabic

language, and the book of *Sibawayh* in grammar, the book of *Ibn Hisham* in *Sīrah*, the book of *Tabari* in history and so on and so forth....rather there were books for each branch of *fiqh* (Islamic jurisprudence) like the example of *Kitab al-Kharaj* by Abu Yusuf regarding economics, and the book al-*Ahkām al-Sultaniyya* of al-Mawardi in ruling. Then the compilations included all branches of sciences and disciplines and the arrangement of issues (*masa'il*) and chapters gradually progressed until it came to include all the sciences and disciplines. Then culture (*thaqafa*) became separated from science in the compilations in the classes of higher education in the universities and so forth...

What is worth mentioning is that the Muslims took the style of compilation from others because the style of compilation is like the sciences in being general.

The Islamic Disciplines

The Muslims saw their lives as only for the sake of Islam and their existence as only for the purpose of carrying the Islamic Call. Islam was the only basis for their unity and reason for their revival. It is the only source of their dignity, glory and hope. This is why their souls and minds became possessed by it, so they devoted themselves to it and embarked upon studying it and understanding it. They dedicated themselves to the Qur'ān, to its understanding and explanation. They devoted themselves to the *ahadīth*, to its transmission and collection. And they began to deduce rules which solved the problems of people. And they pursued reports about the Prophet ﷺ and his campaigns, memorising them and transmitting them. They gave their attention to the military expeditions (*maghazi*), conquests, by documenting them and transmitting them. The mixing of Arabs with non-Arabs in the conquests led to a corruption in the pronunciation of Arabic by the Arabized population and by the Arabs and since the Qur'ān cannot be understood without the Arabic language, the Muslims devoted themselves to the Arabic language, studying it, explaining it and putting down principles (for grammar) and studying the *jahili* (pre-islamic) poetry and the traditions of the Arabs, their speeches and periods in order to understand the Book of Allah ﷻ and the Sunnah of the Messenger of Allah ﷺ. When the people of other religions entered into Islam they still possessed intellectual cultures and carried traces of *kufr* thoughts, and when the intellectual stuggle between the Muslims and the enemies of Islam took place they dedicated themselves to the rational sciences, studying them to explain the *'aqīdah* of Islam to the people and demonstrate it with the rational evidence. The types of disciplines were divided into branches and the Islamic disciplines became diversified as a result. They dealt with many things and came to be enriched every time the conquests expanded even further and developed each time people embraced the *deen* of Allah ﷻ. When the Islamic state became vast and the aspect of concentrating on the countries that had been opened was preferred over the aspect of conquest, many Muslims began to devote themselves in research in the disciplines, sciences, lessons and in-depth study. A multi-faceted Islamic culture took shape among the Muslims; the people dedicated themselves to learning it so long as it served Islam and elevated the position of Muslims. Generally, the Muslims were only interested in this culture and not in other cultures despite their interest in the universe in terms of science and industry. Each scholar, whatever type of culture he specialised in, and every writer whatever his literary orientation and even every mathematician, scientist or craftsman whatever his path, they were cultured first by the Islamic culture, then they learnt other things. As for some scholars who became famous for science like Muhammad ibn al-Hasan in mathematics, Ibn Batuta in geography, Ibn al-Athir in history, Abu Nuwas in poetry etc. This fame does not imply that they only studied the science for which they became famous. Rather, they and others like them studied all of the Islamic culture and then turned to a branch of knowledge and became famous for it while they had grasped the rest of the branches of Islamic culture as well. As for this Islamic culture, it contained topics that were fundamental to the culture because the meanings mentioned in them is what was intended for the Muslim, like *tafsīr*, *hadīth*, *Sīrah*, history, jurisprudence (*fiqh*), foundations of jurisprudence (*usul al-fiqh*) and *tawheed* and it contains what are actually tools for understanding those topics that are fundamental, like the sciences of the Arabic language and logic (*mantiq*). The Muslims devoted themselves to all of these and since the sciences serving as tools are a means of understanding the intended fundamental meanings then the knowledge of the intended meanings is what should be aimed at. Therefore, we shall restrict ourselves to presenting a glimpse of the *tafsīr*, *hadīth*, *Sīrah*, history, jurisprudence (*fiqh*), foundations of jurisprudence (*usul al-fiqh*) and *tawheed* in order to give a brief illustration of each.

Tafsīr (Qur'ānic Exegesis)

The word *tafsīr* is the form *taf'eel* from the word *al-fasr* which means to explain (*bayan*). You say I explained the thing (without pronouncing the *tashdeed*), '*afsuruhu fasran*', and I explained it (with the *tashdeed*); '*ufassiruhu tafsīran'* when you explained it. The difference between *tafsīr* and *ta'weel* is that *tafsīr* is the explanation of what is intended by the wording and *ta'weel* is the explanation of what is intended by the meaning. The word *tafsīr* is chosen when applying to the explanation of the verses of the Qur'ān. The Qur'ān has been revealed in the Arabic language so its expressions are Arabic, including the expressions which are of a foreign origin like *istabraq* (brocade). It is has been Arabized according to the principles of Arabic and it became part of the Arabic expressions. The style of the Qur'ān is the well-known way of Arabs in their speech. He ﷻ said:

﴿قُرْآنًا عَرَبِيًّا﴾

"*An Arabic Qur'ān*" [TMQ Zumar: 28]

The Arabs used to recite it, comprehend the strength of its eloquence and understand its meanings. But not all of the Qur'ān can be approached by all Arabs who would understand it generally and specifically just by merely listening to it because by revealing the Qur'ān in the language of the Arabs does not mean that all Arabs will understand its words and phrases. Since not every book written in a certain language can be understood by the people of that language. The understanding of a book does not require language only but also a level of intellect in understanding and comprehension which agrees with the level and elevation of the book. The reality of the Arabs when the Qur'ān was being revealed was that not all of them were able to understand the Qur'ān generally and specifically. Rather, they used to differ in their understanding according to their intellectual elevation. Because of that reason the *Sahabah*'s ability to explain and understand the Qur'ān was at variance due to the disparity of their understanding of the Arabic language and also due to the disparity in their intelligence and comprehension. The Qur'ānic expressions themselves and their meanings were not all understood by all Arabs. Anas ibn Malik narrated that a man asked 'Umar ibn al-Khattab about His ﷻ saying:

﴿وَفَاكِهَةً وَأَبًّا﴾

"*And fruits and abba (herbage, etc)"* [TMQ 'Abasa: 31]

What is the *abba*? 'Umar replied:

"نهينا عن التكلّف والتعمق"

'We have been forbidden from over-burdening ourselves and going excessively deep into issues'

It has also been narrated about 'Umar that he was on the minbar and he read:

﴿أَوْ يَأْخُذَهُمْ عَلَى تَخَوُّفٍ﴾

"Or that He that he may catch them with takhawwuf (gradual wasting of their and health)" [TMQ Nahl: 47]

Then he inquired about the meaning of *takhawwuf*? A man from Huzayl said: *takhawwuf* for us is the gradual decrease (*tanaqqus*).

Furthermore, there are many verses in the Qur'ān for whose understanding knowledge of linguistic expressions and styles is not sufficient. Rather, they require information about certain expressions because these expressions point to specific meanings such as in His ﷻ saying:

﴿وَالذَّارِيَاتِ ذَرْوًا﴾

"*By (the winds) that scatter dust*" [TMQ Dhāriyāt: 1]

﴿وَالْعَادِيَاتِ ضَبْحًا﴾

"*By the (steeds) that run, with panting (breath)*" [TMQ 'aadiyaat: 1]

﴿إِنَّا أَنْزَلْنَاهُ فِي لَيْلَةِ الْقَدْرِ﴾

"*Verily ! We have sent it (this Qur'ān) down in the night of al-qadr (decree)"*

[TMQ Qadr: 1]

﴿وَالْفَجْرِ ۞ وَلَيَالٍ عَشْرٍ﴾

"*By the dawn ; by the ten nights (that is, the first ten days of the month of Dhul-hijja*)" [TMQ Fajr: 1-2]

And other such verses which point to well known meanings, there are other verses whose understanding requires knowledge of the causes of revelation.

There are verses in the Qur'ān which are *muhkam* (explicit) and clear in meaning. They are the verses especially the *Makkan* verses which pertain to the fundamentals of the *deen* in terms of the *'aqīdah* and the verses which pertain to the fundamentals of the rules which are the *Madinan* verses, especially those related to transactions (*mu'amalat*), punishments (*'uqubat*) and testimonies (*bayyinat*). There are *mutashabihat* (ambiguous) verses as well in the Qur'ān which are ambiguous in meaning for many people, especially the verses that are open to a number of meanings or necessitates leaving the apparent meaning for another meaning because of the contradiction with the creed which should be free of anthropomorphic elements.

Even though the *Sahabah* were the most competent in understanding the Qur'ān because they were the most knowledgeable in the Arabic language and because they witnessed the circumstances and events around which the Qur'ān was revealed. However, they differed in their understanding and they differed in their ability to explain (*tafsīr*) the Qur'ān due to the disparity in the level of their familiarity with the Arabic language and due to the disparity in their closeness to the Messenger ﷺ. The most famous *Mufassirun* from the *Sahabah* were 'Ali ibn Abi Talib, 'Abd Allah ibn 'Abbas, 'Abd Allah ibn Mas'ud and Ubay ibn Ka'b, they are the four who nurtured the most amount of exegetical material to the different Muslim cities. What enabled them to have such a deep knowledge of *tafsīr* was their strong understanding of the Arabic language, their grasp of its rhetorical form and styles, their mixing with the Prophet ﷺ and being close to him which enabled them to know the events for which verses of the Qur'ān were revealed and their faculty of intellect and intelligence, a faculty which enabled them to link meanings together in the best manner and come out with correct results. That is why they did not refrain from making *Ijtihād* in understanding the Qur'ān according to what the mind demanded. Rather, they made *Ijtihād* in *tafsīr* and spoke about it within their own opinions (*Ijtihāds*) and they made decisions based on what they had arrived at by their understanding and *Ijtihād*. Therefore, the *tafsīrs* of those people are considered as one of the highest forms of *tafsīr*. But many have lied about them and sayings have been interpolated in their *tafsīr* which they did not say, that is why you will find many fabrications in their *tafsīr*. What has been authenticated by trustworthy narrators is the strongest of *tafsīrs*. As for everything else from the fabricated reports it is not permitted to take them since it has not been proven that they said them. However, the caution of taking fabricated

tafsīrs of those four does not mean it is a caution for reading their *tafsīrs*. Rather, it is a caution against taking them and practising them given the consideration that these are fabrications. As for reading them and determining a correct understanding by the language, *Sharī'ah* and intellect with what has been mentioned in them, this is useful because there are valuable explanations (*tafsīrs*) in these fabricated reports in terms of understanding even though their chains of transmission are weak in terms of their ascription to the *Sahabah*.

After the *Sahabah* came the *Tibi'un*. Some of them became famous for transmitting from the *Sahabah*, from the four mentioned above and from others. The most famous from those *Tabi'un* are Mujahid, 'Ata ibn Abi Rabah, 'Ikrama freedman of Ibn 'Abbas and Sa'id ibn Jubayr. The *'Ulama* have differed on the degree of trust put on those *Mufassirun* from the *Tabi'un*, so Mujahid is the most reliable even though he had the fewest narrations and some *imams* and *muhaddithun* like Shafi'i and Bukhari rely on his *tafsīr*. However, some of them observed that Mujahid used to ask the People of the Book. So from this perspective they would give his sayings thorough consideration before taking them though they agreed on his honesty. Both 'Ata and Sa'id were trustworthy and honest and no one has questioned their honesty. As for 'Ikrama, most scholars trust him and believe him. And Bukhari transmits from him but others view him as taking risks in *tafsīr* thinking that he knows everything about the Qur'ān. And that was due to the huge amount of Qur'ānic *tafsīr* he has narrated from the *Sahabah*. From the four, 'Ikrama was the one who transmitted mostly from Ibn 'Abbas. There are those who used to narrate from rest of the *Sahabah* like Masruq ibn al-Ajda', the student of 'Abd Allah ibn Mas'ud, he used to narrate *tafsīr* from him. From the *Tabi'un*, Qatada ibn Da'ama Assudoos AlAkma also became well known for *tafsīr*. He had an extensive knowledge of the Arabic language and was well versed in Arabic poetry, the era of the Arabs and their genealogy. After the end of the era of the *Tabi'un*, the *'Ulama* began to compile books of *tafsīr* following a specific method, which is to mention the verse and then quote what has been reported from the *tafsīrs* of the *Sahabah* and the *Tabi'un* along with their chains. Some of them who were famous for this method were Sufyan ibn 'Uyayna, Waki' ibn al-Jarrah, 'Abd al-Razzaq and others.Though the *tafsīrs* of these people have not reached us in their entirety rather what has reached us are statements found in some of the books of *tafsīr* like the tafsīr of al-Tabari. Then after them came al-Farra' and then came al-Tabari. Then scholars of *tafsīr* came one after another in every age until our time.

The Exegetical Approaches of *Mufassirun*

The *Sahabah* made *tafsīr* for the verses of the Noble Qur'ān either as their own *Ijtihād* in *tafsīr* or by hearing it from the Messenger of Allah ﷺ. Many a time they would explain the cause of revelation for a verse or explain with respect to whom it had been revealed. In explaining a verse they would restrict themselves to elucidating the linguistic meaning which they understood from the verse with the most concise of words like their saying: *ghayr mutajanif li ithm* (not inclined to sin) i.e, not predisposed to sin (*ghayr muta'arrid li ma'siyya*). Similarly their statement regarding His ﷻ saying:

﴿وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَامِ﴾

"(*Forbidden) also is to use arrows seeking luck or decision*" [TMQ Mā'idah: 3]

The people of *jahiliyya* when one of them wanted to go out (on a journey) he would take an arrow and say: This one orders me to go out. So if he goes out on his journey will meet good luck. And he will take another arrow and say: This one orders me to stay, so he will not be lucky in his journey. The unlucky arrow is one of the two arrows. So Allah ﷻ forbade them from this practice. An example would be what has been narrated about Ibn 'Abbas regarding His ﷻ saying:

﴿لَرَادُّكَ إِلَى مَعَادٍ﴾

" He will surly bring you back to the ma'ad (place of return)" [TMQ Qasas: 85]

He said: to Makkah. If they added anything to that it would be what has been narrated about the cause of revelation and with regards to whom the verse in question was revealed. It has been narrated about Abu Hurairah regarding His ﷻ saying:

﴿إِنَّكَ لَا تَهْدِي مَنْ أَحْبَبْتَ﴾

"*Verily ! You (O Muhammad (saw)) guide not whom you like*"

[TMQ Qasas: 56]

that he said the verse had been revealed concerning the Messenger of Allah ﷺ when he tried to win over his uncle Abu Talib to Islam. Then came the Tabi'un after the *Sahabah* who reported everything the *Sahabah* mentioned in this manner. From among the *Tabi'un* there were those who explained the verses of the Noble Qur'ān or stated the cause of revelation, either as their own *Ijtihād* in *tafsīr* or by hearing it from (other authorities). After the *Tabi'un* the *'Ulama* came and expanded the *tafsīr* and quoted reports from the Jews and Christians. The *mufassirun* succeeded one after another in every age and generation, who explained the Qur'ān and expanded the *tafsīr* in each age on what had come before. The *mufassirun* began to give their attention to the verses to deduce rulings from them and explain their schools of thought in terms of freewill (*ikhtiyar*) and predestination (*jabr*). And they began to explain verses proving their opinions according to their inclinations in legislation, scholasticism (*'ilm al-Kalam*), rhetorics (*balaagha*), declension (*sarf*) and grammar etc. What is apparent from an examination of the *tafaseers* through the different ages since the time of the *Sahabah* until now is that the *tafsīr* of the Qur'ān in every age was influenced by the scholarly movement of the time, it presented a picture which reflected the views, theories and schools of thought of the time. Seldom were there *tafsīrs* that were free from the influence of opinions, thoughts and rules of the time.

However, all of these *tafsīrs* were not compiled in books from the first day *mufassirun* came to exist i.e, from the time of the *Sahabah*. Rather, they changed from situation to situation through

the ages. In the beginning, the *tafsīr* used to be a part of the *hadīth* and one of its chapters. The *hadīth* was the all-extensive topic which encompassed all the Islamic disciplines. So the transmitter of a *hadīth* just as he would narrate a *hadīth* containing a legal ruling he would also narrate a *hadīth* which contained the *tafsīr* of a Qur'ānic verse. Then writers, in the beginning of the *Abbasid* era and towards the end of the *Umayyad* era i.e, in the beginning of the second century *hijri*, began to bring together all the similar and relevant *ahadīth* under a topic and separate them from other topics. So the disciplines such as *tafsīr* and *fiqh* which the *hadīth* contains were separated from each other. What resulted from the sciences is what resulted in terms of *hadīth*, *Sīrah*, jurisprudence and *tafsīr*. Thus, the science of *tafsīr* came to exist and it became an independent science which was studied on its own. However, the *tafsīrs* did not take any organised form, in that verses of Qur'ān were not mentioned in an ordered manner like the arrangement found in the *mushaf* (Qur'ān) and then followed by their *tafsīr*. Rather the *tafsīrs* narrated were scattered here and there. They were *tafsīr* for miscellaneous verses as was the case with the *hadīth*. This situation continued until the *tafsīr* became separated from the *hadīth* and began to stand up as a science in its own right. *Tafsīr* was written for each *ayah* of the Qur'ān or part of an *ayah*, arranging these verses according to the order in *mushaf*. The first one to undertake the tafsīr of the Qur'ān quoting *ayah* after *ayah* and explain them one after another was al-Farra' (d.207 A.H.). Ibn al-Nadim reports in his book *alFihirst* that:

"إن عمر ابن بكير كتب إلى الفراء أن الحسن بن سهل ربما سألني عن الشيء بعد الشيء من القرآن فلا يحضرني فيه جواب، فإن رأيت أن تجمع لي أصولاً، أو تجعل في ذلك كتاباً أرجع إليه فعلت، فقال الفراء لأصحابه اجتمعوا حتى أُملي عليكم كتاباً في القرآن، وجعل لهم يوماً، فلما حضروا خرج إليهم، وكان في المسجد رجل يؤذن ويقرأ بالناس في الصلاة، فالتفت إليه الفراء فقال له: اقرأ بفاتحة الكتاب نفسرها ثم نوفي الكتاب كله، فقرأ الرجل وفسر الفراء فقال أبو العباس: لم يعمل أحد قبله مثله ولا أحسب أن أحداً يزيد عليه"

"Umar ibn Bukayr wrote to al-Farra' that al-Hasan ibn Sahl perhaps may ask me one thing after another from the Qur'ān but I will not be able to recall all the answers. I think you should bring together the essential points and compile them in a book I will refer to it, so al-Farra' said to his students; gather together so that I can dictate to you a book about the Qur'ān. He gave them a day. When they came he went to them, in the mosque there was man giving azan and reciting the Qur'ān with the people in prayer. Al-Farra' turned to him and said: recite the opening chapter of the Qur'ān (*fatihatul kitab*), we will explain it and then we will speak fully about the whole book. The man recited and al-Farra' made *tafsīr*. Abu al-'Abbas said: no one did anything like him before and I don't think anyone can add to that.'

Then, after him came Ibn Jarir al-Tabari (d.310 A.H.) who wrote his famous *tafsīr*. A number of *tafsīrs* before the *tafsīr* of Ibn Jarir became well known such as the tafsīr of Ibn Jurayj. His situation was the situation of the first *muhaddithin* who compiled everything that reached them without differentiating between the correct (*Sahih*) and incorrect reports. They said 'that Ibn Jurayj's aim was not authenticity; rather he reported everything that was reported about every *ayah* whether it was correct (*Sahih*) or weak (*saqim*).' Also from these *tafsīrs* is the tafsīr of al-Suddi (d.127 A.H.) and the tafsīr of Muqatil (d.150 A.H.). 'Abd Allah ibn al-Mubarak said about the *tafsīr* of Muqatil: How excellent is his tafsīr, if only he were reliable (*thiqa*).' Amongst them is also the tafsīr of Muhammad ibn Ishaq. He used to transmit from the Jews and Christians and he used to quote sayings of Wahb ibn Munabbih, Ka'b al-Ahbar and others, who reported thing from the Torah, Bible and their commentaries. These *tafsīrs* have not reached us, although Ibn Jarir al-Tabari has collected most of it and included it in his book. Then came *mufassirun* one after another explaining the Qur'ān in an complete and well-ordered manner in books that were complete and systematic.

However, anyone who inspects the *tafaseer* will find that the *mufassirun* approached the *tafsīr* from various perspectives. Some were interested in looking at the styles and meanings of the Book and whatever it included in terms of the forms of rhetorics (*balaagha*) to know the highest and distinguished forms of speech as compared to other types of speech. So the rhetorical aspect prevailed in their *tafsīrs*. One of those people is Muhammad ibn al-Zamakhshari in his tafsīr entitled *al-Kashaf*. There were those who looked into the foundations of belief, the fighting of pretenders and debating those who disagreed (with Islam) like Fakhr al-Din al-Razi in his famous *tafsīr*: *al-Tafsīr al-Kabir*. And some of them studied the *Sharī'ah* rules and were interested in deducing them from the verses. So they channelled their interest towards the verses of *ahkām* like Abu Bakr al-Razi commonly known as al-Jassas in his well known *tafsīr Ahkām* al-Qur'ān. There were those who went after stories and added to the Qur'ānic stories from the books of history and *israiliyyat* (Judaica) and began to collect everything they heard however meagre or abundant without revising the things that contradicted the *Shari'ah*, did not agree with the mind or contradicted Qur'ānic *ayāt* which are definite in meaning. One such person is 'Ala' al-Din 'Ali ibn Muhammad al-Baghdadi, the *sufi* otherwise known as al-Khazin who did this in his *tafsīr Bab al-ta'weel fi ma'ani al-tanzeel*. And there were those that concerned themselves with supporting their *mazhab* (school) and explaining the verses in accordance with whatever supports their faction like the *tafsīr al-Bayan* of al-Shaykh al-Tibrisi and the *tafsīr al-Tibyan* of al-Shaykh al-Tusi. Both of them supported the views of the *Shi'a* and their *mazhab* regarding belief (*'aqaid*) and *ahkām*. And there were those that were only concerned with the *tafsīr* in order to explain the verses and rulings of the Qur'ān regardless of any perspective. They are the *mufassirun* whose *tafsīrs* are considered the essence of the books of *tafsīr*. And they are considered the *imams* of *tafsīr* and other topics. Like the tafsīr of Ibn Jarir al-Tabari, the tafsīr of Abu 'Abd Allah Muhammad al-Qurtubi, and the tafsīr of al-Nasafi and others. As for the *tafsīrs* written in this age and towards the end of the period of decline like the tafsīr of Muhammad 'Abduh, the tafsīr of Tantawi Jawhari and the tafsīr of Ahmad Mustafa al-Muraghi and others, they are not considered part of the *tafsīr* literature and nor is there any trust put in them. This is because there is a risk in the *deen* of Allah in the explanation of many verses like Muhammad Rasheed Ridha's *tafsīr* of the verse:

﴿وَمَنْ لَمْ يَحْكُمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ﴾

"*And whosoever does not judge by what Allahhas revealed, such are the Fasiqun (transgressors*)" [TMQ Mā'idah: 44]

He permitted the Muslims of India to adopt English laws and submit to the rulings of English judges. Shaykh Muhammad Rasheed Ridha mentioned in volume six of the *Tafsīr* of the Noble Qur'ān widely known as *al-Manar* in the *tafsīr* of sura al- Mā'idah when he explained His ﷻ saying:

﴿وَمَنْ لَمْ يَحْكُمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ﴾

"And whosoever does not judge by what Allah has revealed, such are the Fasiqun (transgressors)" [TMQ Mā'idah: 44]

In pages 406-409 he was asked:

أيجوز للمسلم المستخدم عند الإنجليز الحكم بالقوانين الإنجليزية وفيها الحكم بغير ما أنزل الله؟ فأجاب بجواب طويل منه ما نصه: "وجملة القول أن دار الحرب ليست محلاً لإقامة أحكام الإسلام، ولذلك تجب الهجرة منها إلاّ لعذر أو مصلحة للمسلمين يؤمن معها من الفتنة في الدين، وعلى من أقام أن يخدم المسلمين بقدر طاقته ويقوي أحكام الإسلام بقدر استطاعته ولا وسيلة لتقوية نفوذ الإسلام وحفظ مصلحة المسلمين مثل تقلد أعمال

الحكومة، ولا سيما إذا كانت الحكومة متساهلة قريبة من العدل بين جميع الأمم والملل كالحكومة الإنجليزية. والمعروف أن قوانين هذه الدولة أقرب إلى الشريعة الإسلامية من غيرها لأنها تفوِّض أكثر الأمور إلى اجتهاد القضاة. فمن كان أهلاً للقضاء في الإسلام وتولى القضاء في الهند بصحة قصد وحسن نية يتيسر له أن يخدم المسلمين خدمة جليلة. وظاهر أن ترك أمثاله من أهل العلم والبصيرة للقضاء وغيره من أعمال الحكومة تأثماً من العمل بقوانينها يضيِّع على المسلمين معظم مصالحهم في دينهم ودنياهم"

Is it permitted for a Muslim to be employed by the English to rule by English laws some of which constitutes ruling by other than what Allah has revealed ? He gave a long reply: 'In short, the abode of war (*dar al-harb*) is not a place for the establishment of the rules of Islam, therefore it is obligatory to make *hijra* unless there is an excuse or benefit for the Muslims due to which he will be safe from the *fitna* (test) on his deen. It is incumbent on the one who resides (in India) to serve the Muslims according to the best of his abilities and to strengthen the rules of Islam as much as he can. And there is no means of strengthening the influence of Islam and protecting the interests of the Muslims except by assuming the government posts especially if the government is lenient and fairly just between all people and religions like the English government. It is well known that the laws of this country are closer to the Islamic *Sharī'ah* than others because it delegates most matters to the *Ijtihād* of judges. So whoever is qualified to be a judge in Islam and takes up a post in the judiciary in India with the correct aim and good intention, it is possible for him to do a great service for the Muslims. It is obvious that the abandonment of the judiciary and other government posts by the people of knowledge and insight due to being sinful for working according to their (i.e The English) laws will forfeit the interests of the Muslims in their *deen* and *dunya*.'

Then he said:

"والظاهر من هذا كله أن قبول المسلم للعمل في الحكومة الإنجليزية في الهند" ومثله ما هو في معناه "وحكمه بقوانينها هو رخصة تدخل في قاعدة ارتكاب أخف الضررين إن لم يكن عزيمة يقصد بها تأييد الإسلام وحفظ مصلحة المسلمين..."

"It is obvious from all of this that the Muslim's acceptance to work in the English government in India 'and any other similar work' and his ruling according to their laws is a dispensation (*rukhsa*) which comes under the principle of doing the lesser of two evils if there is no *'azeema* by which support of Islam and protecting the interests of Muslims is intended…"

Much similar is the *tafsīr* of Tantawi Jawhari where he mentioned that there are modern sciences and disciplines in the Qur'ān and he filled his *tafsīr* with pictures of birds and animals to demonstrate that the Qur'ān did explain such things. And the *tafsīr* of Mustafa Zayd in which he interpreted and rejected the existence of angels and Shayateen. So he committed *kufr* by his *tafsīr* and took himself outside of Islam. These *tafsīrs* and their likes are not considered books of *tafsīr* by the Muslims and nor are their explanations given any consideration.

Sources of *Tafsīr*

The word "sources of *Tafsīr*" does not mean the disciplines the *mufassirun* used to rely on when explaining the Qur'ān according to the idea they carried such as *tawheed*, jurisprudence (*fiqh*), rhetorics (*balaagha*), history etc. These are not the sources of *tafsīr*. Rather, they are matters which had an effect on the *mufassir* which led him to lean towards a specific matter in *tafsīr*. What is intended by 'sources of *tafsīr*' are the authoritative sources that the *mufassirun* qouted. What they quoted they wrote down in their *tafsīrs*, irrespective of their orientation in *tafsīr*. If we study the sources of *tafsīr* we find that they are confined to three:

First: *Tafsīr* which has been transmitted from the Messenger of Allah ﷺ such as the narration that the Messenger ﷺ said:

﴿الصلاة الوسطى صلاة العصر﴾

"The median prayer (salat al-wusta) is the afternoon prayer (salat al-'asr)"

[Reported By tirmidhi on behalf of Ibn Masood]

For instance what has been narrated by 'Ali that he said:

﴿سألت رسول الله ﷺ عن يوم الحج الأكبر فقال: يوم النحر﴾

"I asked the Messenger of Allah ﷺ about the great day of Hajj (yawm al-hajj al-akbar). He said (it is) the day of sacrifice (yawm al-nahr)"

[Reported by Tirmidhi]

And what has been reported ;

﴿أي الأجلين قضى موسى قال: قضى أكثرهما وأطيبهما﴾

"Of the two *ajals* which *ajāl* did Musa complete. He ﷺ said: He completed the one the longer and better *ajāl*." [Reported by Bukhari]

However this genre of *tafsīr* cannot be relied upon as a source of transmission save what has been reported in the books of *Sihah* (books of *hadīth* such as Bukhari and Muslim) because the storytellers and fabricators greatly added to the material. That is why this type of source material has to be investigated due to the great number of lies against the Messenger of Allah ﷺ. The scrutiny of the *Salaf* (early generations of scholars) of this genre of *tafsīr* reached the point where many of them rejected the whole genre altogether...They held that no *tafsīr* had been transmitted from the Messenger of Allah ﷺ. It has been reported about Ahmad bin Hanbal that he said:

﴿ثلاثة ليس لها أصل: التفسير والملاحم والمغازي﴾

'Three (categories of reports) have no basis; *tafsīr*, battles (*malahim*) and military campaigns (*maghazi*).'

That is why we find the *mufassirun* due to their lack of trust for what is mentioned did not stop at the limit of what has been reported. Rather, they followed that with what they reached through their own *Ijtihād*. They did not stop at the limit of the text. What has been mentioned about the

Sahabah in terms of *tafsīr* was added to the *ahadīth* about the Messenger of Allah ﷺ. It began with the transmitted *tafsīr* and likewise with the *tafsīr* of the *tabi'un*. This genre of transmitted *tafsīr* became huge and it began to include what has been transmitted about the Messenger of Allah ﷺ, the *Sahabah* and *Tabi'un*. Each one came to suffice as a *tafsīr*. Nearly all the books of *tafsīr* written in the early ages were restricted to this manner of *tafsīr*.

Second: One of the sources of *tafsīr* is the opinion (*ra'y*) or what is termed as *Ijtihād* in *tafsīr*. This is because the *mufassir* knows the speech of the Arabs and their mannerisms in the spoken language. He knows the Arabic expressions and their meanings by being acquainted with the same thing in *jahili* poetry, prose etc. And he familiarises himself with what he finds to be correct from the cause of revelation of a verse. Using these tools he explains the Qur'ānic verses in accordance with what he has reached through his *Ijtihād*. *Tafsīr* by opinion does not mean saying whatever one likes about the verse or whatever our own desires demand. Rather, the opinion according to which the *tafsīr* takes place depends on the *jahili* literature in terms of poetry, prose, the customs and speech of the Arabs. At the same time it relies on the events that took place in the days of the Messenger ﷺ and whatever the Prophet ﷺ faced in terms of hostility, conflicts, migration (*hijra*), wars and afflictions. And whatever happened during that period which required *hukms* and demanded the revelation of the Qur'ān. Therefore, what is meant by performing *tafsīr* by opinion is to understand the sentences by understanding its meanings which are indicated by the information the *mufassir* has at his disposal in terms of the language and events. As for what has been narrated about sayyidina 'Ali ibn Abi Talib that he said:

"القرآن حمّال أوجه"

'The Qur'ān is open to (many) viewpoints'.

This does not mean that the Qur'ān is open to any viewpoint you wish to explain it from. Rather, what is meant is that any one expression or sentence is open to a number of viewpoints in *tafsīr* but the viewpoints are restricted to the meanings the expression or sentence is open to, which does not overstep that limit. Consequently, *tafsīr* by opinion means the understanding of a sentence within the limits of the meanings its expressions are open to. That is why they called it *tafsīr* by *Ijtihād*.

The great majority of the *mufassirun* from the *Sahabah* used to explain the Qur'ān by opinion and rely on it in the first degree while performing *tafsīr*. They used to disagree in *tafsīr* even in the explanation of a single word which indicates that they used to rely on their own particular understanding like much of what has been reported about Ibn 'Abbas, Ibn Mas'ud, Mujahid and others. For example they used to explain the word *Tur* in His ﷻ saying:

﴿وَإِذْ أَخَذْنَا مِيثَاقَكُمْ وَرَفَعْنَا فَوْقَكُمُ الطُّورَ﴾

"And (O Children of Israel, remember) when We took your covenant and We raised above you the Tur"
[TMQ Baqarah: 63]

with different explanations. Mujahid explained *Tur* as the name of a mountain, Ibn 'Abbas explained it as the mountain itself and some said that *Tur* is what emanates from the mountain and as for what does not spread, it is not *Tur*. This difference in *tafsīr* is a result of a difference of opinion and not attributable to the difference in what has been transmitted. Although the expression is linguistic so what about when the opinion concerns the meaning of the sentence and not the meaning of an expression, this is why in addition to their disagreement in the meanings of expressions they also disagreed with regards to the meanings of verses. It is apparent from studying the *tafsīrs* of the *Sahabah* especially the well known *mufassirin* that on a whole they would rely on (individual) opinion when making *tafsīr*. As for what has been narrated about some of them that they would refrain from making *tafsīr* by opinion and confined

themselves to making *tafsīr* by what has been transmitted (*manqul*), it is taken to refer to the opinion of somebody who has not acquired the tools of *tafsīr* such as having knowledge of the Arabic expression, he wishes to clarify and knowledge of the events pertaining to which the verses were revealed. It is not taken to mean that one should refrain from understanding the Qur'ān since it has been revealed so that people may understand it and not so that they restrict themselves to the limit of the transmitted *tafsīr*. Therefore, we cannot say that the *Sahabah* were divided into two groups, one group refraining from saying anything about the Qur'ān by opinion and the other speaking about the Qur'ān according to their opinion. Rather, all of them used to speak about the Qur'ān with their opinion. They used to be wary of someone saying anything about the Qur'ān by his opinion without having sure knowledge of the expression being explained and the sentence being elucidated from the *ayāt* of the Qur'ān. Also, this was the position of the *Tabi'un*. However, after them there were people who came to know about these sayings and understood them as admonition for speaking about the Qur'ān with one's own opinion, so they avoided saying anything about the Qur'ān from their own opinion. And there were also people who became acquainted with the the *tafsīr* of the *Sahabah* by opinion and they advocated *tafsīr* by opinion. That is why later scholars became divided into two groups regarding the *tafsīr*. One group would avoid saying anything with their own opinion and restrict themselves to what has been transmitted and a group that would give its own opinions. As for the *Sahabah* and the *Tabi'un* they were not two groups. Rather, they used to speak about the Qur'ān with what they knew in terms of the narrations and opinion and they refrained from that which they did not know and they warned people from speaking about the Qur'ān with their own opinions without having knowledge.

Third: The *israiliyyat*. This is because certain Jews and Christians had entered the fold of Islam. Among them were scholars of the Torah and Bible. Amongst them most of the Jews that entered were dishonest because the Jews hated and loathed the Muslims more than the Christians. From the Jews many scholars of Jewish fables infiltrated the Muslims. They entered the *tafsīr* of the Qur'ān to supplement the explanation of the Qur'ān. That is because the mind and its inclinations are fond of inquiry which invited it when listening to many verses of the Qur'ān to inquire about things surrounding them. When they heard the story about the dog and the companions of the cave they asked what colour was the dog? When they heard:

﴿فَقُلْنَا اضْرِبُوهُ بِبَعْضِهَا﴾

"So we said: Strike him (dead man) with a piece of it"

[TMQ Baqarah: 73]

They inquired as to what was that piece with which they struck the dead man? When they read:

﴿فَوَجَدَا عَبْدًا مِنْ عِبَادِنَا آتَيْنَاهُ رَحْمَةً مِنْ عِنْدِنَا وَعَلَّمْنَاهُ مِنْ لَدُنَّا عِلْمًا﴾

"*Then they found one of Our slaves, unto whom We had bestowedmercy from Us, and whom We had taught knowledge from Us*" [TMQ Kahf: 65]

They asked us, who is the righteous servant that Musa met and requested to teach him. From here the story of *Khidr* arose. So whenever a story would reach them they would ask about it. So they asked about the boy the righteous servant had killed and the boat he had scuttled and about the village that did not entertain him. They inquired about the story of Musa and Shu'ayb and the size of Noah's ark etc. What answered these questions and satiated their greed for this kind of information was the Torah and its commentaries and exposition. And whatever fables were inserted which were transmitted to them by the Jews whether through good or bad intention, some Christians who had embraced Islam inserted certain stories and reports from the Bible but that was little compared to what the Jews had interpolated. In this manner the volume of stories

and reports expanded greatly until it exceeded the reports of the transmitted *tafsīr*. Many books of *tafsīr* came to be loaded with huge amounts of *israilyyat*, stories and other reports. The ones who inserted the greatest amount of *israilyyat* and the most famous were Ka'b al-Ahbar, Wahb ibn Munabbih, 'Abd Allah ibn Salam and many others. Due to this activity these *israilyyyat*, stories and other reports became one of the sources of *tafsīr* for the *mufasssrun*.

The *Ummah's* need today for *Mufassirin*

The science of *tafsīr* (Qur'ānic exegesis) in its capacity as a discipline from the prominent *Sharī'ah* disciplines is one of the most important of *Sharī'ah* sciences. Therefore, it is imperative that attention is given to it in every age and in every generation. The *Ummah* today is in need of *Mufassirin* because new things have come up which did not exist before. They must be understood if they come under comprehensive and general principles mentioned in the Qur'ān or if it is possible to apply detailed rulings on them. However, the style of the classical *tafsīrs* in its capacity as a collection of *tafsīrs* is one genre of writing in terms of form and presentation. It is like the style of the classical works which the sons of this generation do not have a desire or love to read these *tafsīrs* except by those accustomed to reading classical books. And they are very few indeed. Therefore, the style has to be such that it awakens desire and love in the Muslims first, let alone in anyone else for reading *tafaseers* as an intellectual book which is deep and enlightened. In addition to that, the path followed by *mufasssirin* in the age which followed the translation of the books of philosophy and being effected by them and in the age of decline which came after the Crusades led to the presence of *tafsīrs* for which much effort was expended in giving attention to things which did not constitute *tafsīr* and had no relationship to the verses of the Qur'ān. Not to mention the *israliiyyat* that accumulated until it became a third source of *tafsīr* for the *mufassirin*. It is imperative that the *tafsīr* of the Qur'ān should proceed according to the *Sahabah*'s ways of *tafsīr* in terms of *Ijtihād* in understanding the Qur'ān seeking the aid of the *tafsīrs* of the *Sahabah* that have been transmitted. As for the tafsīr transmitted from the Messenger ﷺ, even if authentic, it is considered part of the *Hadith*. It is not considered as *tafsīr* since it is a legislative text like the Qur'ān; where it is known that the *tafsīrs* are not considered as legislative text.

As for the style according to which the *mufassir* should proceed depends on his creativity. Since it is in one form or one genre of compilation each *mufassir* chooses according what he sees as a medium of rendering the *tafsīr* in terms of the arrangement, chapters and presentation. This is why it is not correct to clarify the style of writing the *tafsīr*. As for the methodology of *tafsīr,* this requires clarification. After study, research and thought we have found a method for *tafsīr*. We shall present it here so that *tafsīr* of the Qur'ān can take place according to this methodology (*minhaj*). It is a method necessitated by the reality of the Qur'ān. We call it a method i.e a matter that is decided and permanent, we do not call it a style (*uslub*). This is because it is like the method of *Ijtihād* which is understood from the reality of the texts and from the evidences the Qur'ān has guided to. Likewise, *tafsīr* is the same. It is a method in terms adhering to it and not in terms of it being a *Sharī'ah* rule because the method is not by way of *ahkām*. As for this method which we deem proper to proceed on in the *tafsīr* of the Noble Qur'ān it is summarised in the following:

Tafsīr of the Qur'ān is the clarification of the meanings of its vocabulary (placed) in their phrases (*tarakib*) and the meaning of the phrases themselves. To know the method of *tafsīr* we must present the reality of the Qur'ān first and study it comprehensively in a way the nature of its reality becomes apparent. Then we study whatever applies to this reality in terms its words and meanings and what is the subject matter that it has brought. With this knowledge of the reality and whatever applies to it and knowledge of the subject of discussion brought by the Qur'ān the method that should be followed in making *tafsīr* of the Qur'ān becomes clear. Thus, he is guided to the right path on whose methodology the *tafsīr* should proceed.

The reality of the Qur'ān is that it is in the Arabic speech, so its reality, in its capacity as Arabic speech, has to be understood. Thus, we must comprehend its vocabulary as being Arabic words, its phrases as being Arabic structures, and the nature of the right of disposal of the phrases in their capacity as phrases only, and in terms of its being Arabic disposal of Arabic vocabulary in

Arabic phrases, or Arabic disposal of Arabic phrases in terms of the structure as a whole. In addition to this the *Mufassir* must comprehend the high manner of address and speech in the Qur'ān, in terms of the manner of the Arabs regarding the high manner of address and speech in their language. Once the reality of the Qur'ān, on this Arabic basis, has been comprehended in a detailed fashion, then it is possible to peform *tafsīr*, but not before this. As the whole of Qur'ān, in its words and phrases, proceeds according to the words and phrases of the Arabs and according to what is well-known in their language, and it does not overstep that by a hairbreadth. One cannot perform its *tafsīr* except with this comprehension and according to this reality. As long as this is not fulfilled the Qur'ān cannot be explained correctly at all. Therefore, *tafsīr* of the Qur'ān in its capacity as an Arabic speech and text depends on the comprehension of its Arabic reality in terms of the language:

﴿وَكَذَلِكَ أَنْزَلْنَاهُ قُرْآنًا عَرَبِيًّا﴾

"*And thus We have sent it down as a Qur'ān in Arabic*" [TMQ Tā Hā: 113]

﴿وَكَذَلِكَ أَنْزَلْنَاهُ حُكْمًا عَرَبِيًّا﴾

"*And thus have We sent it (the Qur'ān) down to be a judgement of authority in Arabic*" [TMQ Ra'd: 37]

This is in terms of the reality of the Qur'ān and whatever applies to the reality in terms of its expressions and meanings i.e, from the perspective of the language. In terms of the subject matter that the Qur'ān brought, it is a Message from Allah ﷻ for the humankind conveyed by the messenger ﷺ from Allah ﷻ. It contains everything relating to the Message: in terms of beliefs, *ahkām*, glad tidings, admonitions and stories for the purpose of exhortation and remembrance and a description to the happenings on the day of judgement, *al-Janna* (Paradise), Hellfire in order to rebuke and incite desire (for Paradise). It contains rational issues to be comprehended and perceptible and non-perceptible issues founded on a rational basis for *imān* and action, and whatever else a universal message to mankind necessitates. One cannot be correctly acquainted with this subject except by the way of the Messenger ﷺ who actually brought it, particularly when Allah ﷻ has clarified that He ﷻ revealed it to the Messenger ﷺ so that he may explain it to the people. He ﷻ said:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"*And We have also sent down unto you (O Muhammad (saw)) the reminder and the advice (the Qur'ān), that you may explain clearly what is sent down to them*"

[TMQ Nahl: 44]

The way of the Messenger ﷺ is his Sunnah, which is whatever has been correctly narrated about his ﷺ sayings, actions and consent. Consequently, it is necessary to be acquainted with the Sunnah of the Messenger ﷺ before starting the *tafsīr* and during the *tafsīr* of the Qur'ān since the subject matter of the Qur'ān cannot be understood without being acquainted with the Sunnah of the Messenger ﷺ. Although this acquaintance should be one of awareness of the text of the Sunnah irrespective of one's acquaintance with the *sanad* i.e, the acquaintance should be one of awareness of thinking about its thoughts in their capacity as concepts and not that of memorising its words. It does not harm the *mufassir* if he does not make an effort in the memorization of words or have knowledge of the *sanad* (chain) and transmitters so long as he trusts the authenticity of the *hadīth* from the reference (*takhrij*) of the *hadīth*. What is incumbent on him is to comprehend the meanings of the *hadīth* since *tafsīr* relates to the the meanings of the Sunnah and not to its words, *sanad* or transmitters. Therefore, he must have sufficient awareness of the Sunnah so that he can explain the Qur'ān. Coensequently, it becomes clear that one must first, before anything else, make a detailed study of the reality of the Qur'ān and study whatever

applies to this reality in terms of the words and meanings, and then understand the subject of discussion. It should be noted that a general understanding is not suffiecint; rather a detailed understanding of the comprehensive (*kulliyat*) and branchial (*juz'iyyat*) issues is essential even if it is in a general manner. In order to visualise this detailed understanding we shall present a quick look at the method of this detailed understanding of the reality of the Qur'ān in terms of its vocabulary and phrases, and in terms of high manner in speech and address from the linguistic perspective and in terms of the language and their well-known way in their language.

As for the reality of the Qur'ān in terms of its vocabulary, we can see that it contains vocabulary on which the linguistic meaning applies literally (*haqiqatan*) and it also applies metaphorically (*majazan*). The lingusitic and methaphorical meaning may continue to be used together. The intended meaning is known by the *qarina* (*indication*) in each phrase construction. The lingusitic meaning may be intentially forgotten with the metaphorical meaning continuing, So it becomes what is intended and not the lingusitic meaning. We also notice vocabulary on which only the linguistic meaning applies. It is not used in the metaphorical sense due to the absence of any *qarina* (indication) which would divert us from the lingusitic meaning. And with in it there is vocabulary on which the lingusitic meaning and the new *Shari'ah* meaning applies to the exclusion of the literal and metaphorical menaings. Vocabulary in the lingusitic and *Shari'ah* sense is used in various verses. What determines any meaning which is intended is the structure of the *ayah*. Otherwise only the *Shari'ah* meaning applies to it and it is not used in the linguistic sense. For example, the word *qarya* (town), it is used in the liguistic sense only. He ﷻ said:

﴿حَتَّى إِذَا أَتَيَا أَهْلَ قَرْيَةٍ اسْتَطْعَمَا أَهْلَهَا﴾

"*Till, when they came to the people of the town"* [TMQ Kahf: 77]

﴿أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ﴾

"Rescue us from this town" [TMQ Nisā': 75]

It is used in its metaphorical sense. He ﷻ said:

﴿وَاسْأَلِ الْقَرْيَةَ الَّتِي كُنَّا فِيهَا﴾

"*And ask (the people of) the town where we have been*" [TMQ Yoosuf: 82]

The town is not questioned but rather those intended are the people of the town, this meaning is metaphorical. And He ﷻ said:

﴿وَكَأَيِّنْ مِنْ قَرْيَةٍ عَتَتْ عَنْ أَمْرِ رَبِّهَا﴾

"And many a town (population) revolted against the Command of its Lord"

[TMQ Talaaq: 8]

The people of the town are intended here. For example in His ﷻ saying:

﴿أَوْ جَاءَ أَحَدٌ مِنْكُمْ مِنَ الْغَائِطِ﴾

"*Or any of you comes from answering the call of nature (ghait)*"

[TMQ Mā'idah: 6]

The *ghait* is the place which is low, it is used metaphorically with respect to answering the call of nature because the one who answers the call of natutre goes to the low place so the use of the metaphorical meaning prevailed and the literal meaning was intentionally forgotten. For example in His ﷻ saying:

﴿فَاحْكُمْ بَيْنَهُمْ بِالْقِسْطِ﴾

"Judge with justice (qist) between them" [TMQ Mā'idah: 42]

And His ﷻ saying:

﴿وَأَقِيمُوا الْوَزْنَ بِالْقِسْطِ﴾

"And observe the weight with equity (qist)" [TMQ Rahmaan: 9]

Its intended meaining is lingusitic; no other meaning can be established for it. For example in His ﷻ saying:

﴿ وَثِيَابَكَ فَطَهِّرْ ﴾

"*And your garments purify !*" [TMQ Muddathir: 4]

It is the linguistic meaning which is intended, which is the purification of the clothes from filth because purity (*tuhr*) linguistically is *tahara* (purification) which is opposite of filth. Purifying something with water means to wash it and *tatahhara* and *athara* is being free from filth. And His ﷻ saying:

﴿وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا﴾

"If you are in a state of janaba (that is, had a sexual discharge) purify yourself (fattahhiru)" [TMQ Mā'idah: 6]

﴿لَا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ﴾

"*Which (i.e the Quran) none can touch but the purified (mutahharun)*"

[TMQ Wāqi'ah: 79]

The linguistic meaning here, which is the removal of impurity (*najaasa*) is not possible becaue the believer does not become impure (*najas*) so only the other meaning remains which is the removal of the minor impurity (*hadath*). So *'fattahharu'* means: remove the minor impurity (*hadath*). And the *'mutahhirun'* are the ones free from the minor impurity (*hadath*) because the removal of the greater and minor impurity is called *tahara* in the *Shari'ah*. He ﷺ said:

﴿لا يقبل الله صلاة بغير طهور﴾

"Allah does not accept the prayer (salah) without purification"

[Reported By Muslim on behalf of Ibn Umar & Ibn Majah on behalf of Anas Ibn Malik]

"*tuhur*" here means the removal of impurity. And for example in His ﷻ saying:

﴿أَرَأَيْتَ الَّذِي يَنْهَى ۞ عَبْدًا إِذَا صَلَّى﴾

"*Have you (O Muhammad (saw)) seen him (that is, Abu Jahl) who prevents, a slave (Muhammad (saw)) when he prays* ?" [TMQ 'Alaq: 9-10]

What is intended here is the *Shari'ah* meaning: And His ﷻ saying:

﴿يُصَلُّونَ عَلَى النَّبِيِّ﴾

"*His angels too ask Allah to bless and forgive the Prophet"*

[TMQ Ahzaab: 56]

What is intended here is the lingusitic meaning which is the *du'a* (supplication). And for example in His ﷻ saying:

﴿فَإِذَا قُضِيَتِ الصَّلَاةُ﴾

"*Then when the (jum'a) salat (prayer) is finished"* [TMQ Jumu'a: 10]

And His ﷻ saying:

﴿يَا بُنَيَّ أَقِمِ الصَّلَاةَ﴾

"O my son ! Establish the salat (prayer)" [TMQ Luqmaan: 17]

All the *ayāt* in which *salah* is mentioned they have only been used in the *Shari'ah* meaning.

This is with regards to the vocabulary. As for the phrases, the Arabic language (is composed of) words which indicate meanings, when we examine these words in terms of their presence in phrases whether in terms of their existence in phrases whether relating to its isolated meaning in the phrase or the meaning of the whole phrase, we will only find two perspectives. Firstly, they should be viewed from the angle of being general words and expressions which indicate general meanings, and this is the original connotation. Secondly, they should be viewed from the angle of being words and expressions which indicate meanings which serve general words and expressions; this is the appendant (secondary) connotation. Regarding the relation to the first category which is when the structure is composed of general words and expressions indicating general meanings, in the Arabic language in terms of the vocabulary there are words which are homonymous such as the word *'ayn* (lit.eye), *qada'r*, *ruh* etc And there are words which are synonymous such as *ja'* and *ata* (to come), *asad* and *qaswara* (lion), *zann* and *za'm* (contention) etc. And therein are words which have opposite meanings such as the word *quru'* for being in a menstrual state or a pure state, and *'azr* for help and support, similarly the words *lawm* and *tankeel* etc. Understanding the intended meaning of the word requires the understanding of the structure and it is not possible to understand its meaning simply by referring to the dictionaries. Rather it is essential that the structure in which the word was mentioned is understood because it is the structure that determines the intended meaning. Just as we say this with respect to the vocabulary in the structure, we also say this this with respect to the structure itself. The structure, in its capacity as general words and expressions which indicate general meanings and this is its original meaning. As long as no *qarina* (indication) can be found indicating otherwise, the general meaning is what is intended. And examples of this are abundant in the Qur'ān; there is no need to give examples because it is the original connotation.

As for the second category, the fact that the structures are composed of words and expressions indicating meanings which serve general (*mutlaqa*) words and expressions, every peice of information stated in the sentence necesitates the clarification of what is intended in the sentence in relation to this piece of information. So the sentence is composed in a manner which leads to the intention, according to the informer and the one who is being informed of it, with the same report, in the same state in which it existed and in the same context in which the sentence cites and in the type of style in terms of clarity, ambiguity, brevity and vorbosity etc. So you would say at the beggining of a report: *qaama zayd*, if there is no concern about the one being informed rather the report. If the concern is about the one being informed you would say: *zayd qam*. And in response to a question or something on the level of a quention you would say: Indeed zayd did stand up (*inna zaydan qam)* and in respose to someone who refuses to believe: By God! Indeed zayd did stand up (*wallahi inna zaydan qam*). In notifying someone who expects Zayd to stand up: zayd has stood up (*qad qama zayd*) and other such issues which should be considered in Arabic texts. The Qur'ān has come fulfilling those two viewpoints. So the absolute words and expressions indicating absolute meanings and the words and expressions with restricted

meanings have come serving absolute meanings in various rhetorical aspects. One of finest aspects evident in it is the existence of the words with serving meanings which is the appendant connotation, the *ayaat* and the parts of *ayaat* which repeat in the Qur'ān in a single Sura or in different Sura's and similarly the stories and the sentences which repeat in the Qur'ān and the preference of the attribute (*Mahmul*) over the subject (*Maudu'*), and the different types of emphasis or a single type according to the course of the sentence, and negational enquiries etc , all of this implicate the highest type of appendant connotation. You will find an *ayah* or a part of an *ayah* or a sentence or story, it is seen in a certain sequence in some Sura's and it is seen in another sequence in another Sura and it is seen in a third style in another Sura etc. You will not find one expression where the original sequence has been changed like the precedence of the predicate before the subject, or mentioning a certain part of some information in preference to another part of the same information that is usually used, we will find an eloquent witty point aimed at generating a meaning that serves the general meanings contained in the words and phrases of the *Ayah.*

This is regarding the foundations of speech in the Arabic language in terms of being words which indicate meanings, and regarding the foundations of speech in the Qur'ān in terms of being words which indicate meanings, whether in terms of the viewpoint of vocabulary in their phrases or in terms of the phrases as a whole. When it comes to using the words in their phrase or the phrase itself, Qur'ān follows the well-known pattern of the Arabs in whose language it was revealed. Although the Qu'ran disabled the Arabs when it challenged them to bring the like of it, it did not abandon the contiuous custom of the Arabs in their disposal of the Arabic language. In this case the nature of Quranic speech is similar to the nature of Arabic speech. By referring to the nature of the well-known disposal of Arabic language by the Arabs, we don't find the Arabs strictly adhere to certain words when the aim is to preserve the meaning of the phrases, even though these words are taken into account. At the same time, if the aim is to convey an accurate meaning that can only be given by adhering to the word that could achieve this, then the phrase needs to contain such particular word. So, neither of these two options is adhered to. Rather, the meanings can be built on the phrase alone, without adhering to the words contained within the phrase, or built on the words in the phrase. The custom of the Arabs disposal of their own language was that, if the intended meaning of the phrase is valid, the Arabs would be satisfied in using some words instead of others that are synonymous (*Muradif*) or close to them in meaning. Ibn Jinni reported from Eisa bin Umar who said: 'I heard *Zar-RUmmah* read:

وظاهر لها من يابسِ الشَّخْتِ واستعِنْ

عليها الصبا واجعلْ يديكَ لها سترا

Help it by the dry and slim (oar) and seek help against

It by the wind and make your hands a sheild to it.

فقلت أنشدتني من بائس فقال يابس وبائس واحد

I said: 'you read to me '*min baa'is*.' He said: *yaabis* and *baa'is* hold the same (meaning).

Ahmed ibn Yahya said that Ibn Al-A'arabi read the following poetry to him:

وموضعِ زيرٍ لا أُريدُ مَبيتَهُ كأني به من شدة الرَّوْعِ آنَسُ

The meaning is:

A narrow place I don't want to sleep in

As if it is because of the great fear, more intimate.

A *shaikh* of his companions said: 'It is not like that. You read to us "*Wa-mawdhi'i dheeqin*." The *shaikh* said '*Subhana Allah* (praise be to Allah), you have accompanied us since such and such time and you don't know that the *zeer* and the *dheeq* hold the same meaning.' This is similar to what happens in the Qur'ān, where certain words were used in pereference to synoyomous words or words close in meaning, like the different readings (*Qira'at*) in the Quran.

﴿مَالِكِ يَوْمِ ٱلدِّينِ﴾

"The Only Owner (maalik) of the Day of Recompense" [TMQ Faatihah: 4]

﴿مَلِكِ يَوْمِ ٱلدِّينِ﴾

"The Only Owner (malik) of the Day of Recompense" [TMQ Faatihah: 4]

﴿وَمَا يَخْدَعُونَ إِلاَّ أَنفُسَهُمْ﴾

"They only deceive (yakhda'una) themselves" [TMQ Al-Baqarah: 9]

﴿وَمَا يَخَٰدَعُونَ إِلاَّ أَنفُسَهُم﴾

"They only deceive (yakhadi'una) themselves" [TMQ Al-Baqarah: 9]

﴿لَنُبَوِّئَنَّهُم مِنَ ٱلْجَنَّةِ غُرَفاً﴾

"To them We shall surely give (li nubawwi'annahum) lofty dwellings in Paradise"

[TMQ Al-Ankabūt: 58]

﴿لَنُبَوِّيَنَّهُم مِنَ ٱلْجَنَّةِ غُرَفا﴾

' *To them We shall surely give (li nubawwiyannahum) lofty dwellings in Paradise"*

[TMQ Al-Ankabūt: 58]

And other *ayat* according to the *Qira'at.*

It is the habit of the Arabs to adhere to the words themselves when there is a purpose for expressing with them. It is said that when one of the transmitters read a poem saying:

لعمرُكَ ما دهري بتأبينِ مالكٍ ولا جَزِعٌ مما أصابَ فأوجعا

By your life, what is my long life commemorating Maalik

Nor am I worried of what happended and caused pain

Instead of saying *Maalik* he said the word (*haalik*, meaning dead). Somebody became angry and said the narration is *Maalik* and not *haalik*, for the commemorated person is *Maalik* and not a dead person. There came in the Qur'ān words that were adhered to, where the meaning cannot be delivered without them, this is like His ﷻ saying:

﴿تِلْكَ إِذًا قِسْمَةٌ ضِيزَى﴾

"*That indeed is a division most unfair !*" [TMQ Najm: 22]

No word, be it synonymous or even close in meaning can give the meaning of the word '*Deeza'* here. Nor even the word '*qismatin Zaalima'* - oppressive division, or '*qismatin Jaira'* –wrongful division or any other word which is of the same meaning.

And Allah ﷻ saying:

﴿إِنَّ أَنْكَرَ الْأَصْوَاتِ لَصَوْتُ الْحَمِيرِ﴾

"*Verily, the harshest of all voices is the voice (braying) of the ass*"

[TMQ Luqmaan: 19]

The word (*Hameer*) has a meaning that cannot be delivered with a word other than it, that is why it uttering was observed in the syntax so as to preserve the meaning. That is in regards to preserving or not the expression with the same word. However, in regards to preserving or not the individual meaning by explaining it, the well known practise among the Arabs is that their greatest attention is to the meanings dissiminated in the speech. This is because the Arabs were only concerned with the meanings, and the words were only fashioned for their sake. However, if the purpose of the sentence is the individual meaning, the attention should then be directed to the meaning of the words together with the meaning of the sentence. If the purpose is the structural meaning, then it is enough to observe the individual meaning so as not to confuse the readers understanding of the structural meaning of the sentence.

The Qur'ān followed this well known practise in all the verses. Therefore, 'Umar ibn Al-Khattab ﷺ when he was asked about His ﷻ saying

﴿وَفَاكِهَةً وَأَبًّا﴾

"*And fruits and abba (herbage, etc)*" [TMQ 'Abasa: 31]

We have been forbidden from burdening ourselves unnecessarily and going deep, i.e. in the individual meaning in a sentence where the intent is the Syntax meaning. Except if the syntax meaning is dependent on the individual meaning then attention has to be given to the individual meaning. This is why we find 'Umar himself asking the meaning of an individual word '*takhawwuf*" from the pulpit when he recited:

﴿أَوْ يَأْخُذَهُمْ عَلَى تَخَوُّفٍ﴾

"*Or that He that he may catch them with gradual wasting (takhawwuf) (of their and health)"* [TMQ al-Nahl: 47]

A man from Hudhayal said: *At-takhawwuf* amongst us means the decrease, and he read to him:

تَخَوَّفَ الرَّحْلُ منها تامِكاً قَرِداً كما تَخَوَّفَ عُودَ النَّبْعَةِ السَّفَنُ

The saddle of the camel impaired and soothed the back of the camel

As an iron piece smoothed the wooden stick (arrow)

When the man of Hudhayal read the verse of poetry and explained the meaning of *at-takhawwuf*, 'Umar ﷺ said:

"أيها الناس تمسكوا بديوان شعركم في جاهليتكم فإن فيه تفسير كتابكم"

'O people hold on to your collection of poetry in *jahiliyah* for it has the explanation of your Book'

Moreover, the Qur'ān when speaking adheres to expression with which it intends to adhere to quality literature whether as a narrative or instruction. Thus when it used the vocative from Allah ﷻ to the servant it came with the vocative particle necessary for the servant, written and not ommitted so that the servant feels his distance from Allah ﷻ such as in His ﷻ saying:

﴿يَا عِبَادِيَ الَّذِينَ آمَنُوا إِنَّ أَرْضِي وَاسِعَةٌ﴾

"*O My slaves who believe ! Certainly, spacious is My earth*"

[TMQ Ankabūt: 56]

﴿قُلْ يَا عِبَادِيَ الَّذِينَ أَسْرَفُوا عَلَى أَنْفُسِهِمْ﴾

"Say: O 'ibadi (My slave) who have transgressed against themselves"

[TMQ Zumar: 53]

﴿قُلْ يَا أَيُّهَا النَّاسُ إِنِّي رَسُولُ اللَّهِ إِلَيْكُمْ جَمِيعًا﴾

"*Say (O Muhammad (saw): O mankind ! Verily, I am sent you all as the Messenger of Allah*" [TMQ 'Arāf: 158]

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا﴾

"*O you who believe !*" [TMQ Baqarah: 153]

This is with regards to when Allah ﷻ calls His ﷻ servant. As for when the servant calls Allah ﷻ it came with the vocative which is free of the *yaa*, like His ﷻ saying:

﴿رَبَّنَا لَا تُؤَاخِذْنَا إِنْ نَسِينَا أَوْ أَخْطَأْنَا رَبَّنَا وَلَا تَحْمِلْ عَلَيْنَا إِصْرًا كَمَا حَمَلْتَهُ عَلَى الَّذِينَ مِنْ قَبْلِنَا رَبَّنَا وَلَا تُحَمِّلْنَا مَا لَا طَاقَةَ لَنَا بِهِ﴾

"*Our Lord ! Punish us not if we forget or fall into error, our Lord ! Lay not on us a burden like that which You did layon those before us (Jews and Christians) ; our Lord ! Put not on us a burden greater than we have strength to bear.*"

[TMQ Baqarah: 286]

﴿رَبَّنَا إِنَّنَا سَمِعْنَا مُنَادِيًا يُنَادِي لِلْإِيمَانِ﴾

"Our Lord! Verily, we have heard the call of the one (Muhammad (saw)) calling to Imān (belief)" [TMQ aal-Imrān: 193]

﴿رَبَّنَا لَا تُزِغْ قُلُوبَنَا بَعْدَ إِذْ هَدَيْتَنَا﴾

"*Our Lord ! Let not our hearts deviate (from the truth) after You have guided us*"

[TMQ aal-Imrān: 8]

﴿قَالَ عِيسَى ابْنُ مَرْيَمَ اللَّهُمَّ رَبَّنَا أَنْزِلْ عَلَيْنَا مَائِدَةً مِنَ السَّمَاءِ﴾

"*Isa (Jesus), the son of Maryam (Mary), said: O Allah, Our Lord ! Send us from heaven a table spread (with food)"* [TMQ Mā'idah: 114]

All of these (*ayaat*) are free from the *yaa* which makes one feel remote, so that the servant feels that Allah ﷻ is close to Him and also because *yaa* denotes drwaing attention, thus the servant's attention needs to be drawn when he is called but that is not the case for Allah ﷻ.

Furthermore, in observing the expressions which intend to take notice of the high manner, the Qur'ān followed tht by using the indirect instead of the explicit (direct) expression in the matters which are embarassing to be expressed explicitly. This is the like when the Qur'ān expressed about the sexual intercourse by metaphorising it with the the dress (garment) and touching (direct contacting),

﴿هُنَّ لِبَاسٌ لَكُمْ وَأَنْتُمْ لِبَاسٌ لَهُنَّ﴾

"*They are your garments and you are their garments.*" [TMQ Baqarah: 187]

﴿وَلَا تُبَاشِرُوهُنَّ وَأَنْتُمْ عَاكِفُونَ فِي الْمَسَاجِدِ﴾

"*And do not have sexual relations with them (your wives) while you are in I'tikaf (that is, confining oneself in a mosque for prayers and invocations leaving the worldly activities) in the mosques*" [TMQ Baqarah: 187]

He ﷻ metaphorised for the call of nature in his saying:

﴿كَانَا يَأْكُلَانِ الطَّعَامَ﴾

"*They both used to eat food (as any other human being, while Allah does not eat*)"

[TMQ Mā'idah: 75]

Similarly, the Quran brought the form of the attention which implies of the manner of attendance from the absence to the presence in relation to the servant (*'abd*) if it is required by the circumstance, like in his ﷻ saying

﴿الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ ۞ الرَّحْمَنِ الرَّحِيمِ ۞ مَالِكِ يَوْمِ الدِّينِ ﴾

' All the praise and thanks be to Allah, the Lord of the worlds. The Most Beneficent, the Most Merciful. The Only Owner of the Day of Recompense.' [TMQ Baqarah: 2-4]

Then it turned away from the absent to the direct speech, so he ﷻ says

﴿ إِيَّاكَ نَعْبُدُ وَإِيَّاكَ نَسْتَعِينُ﴾

' You (Alone) we worship, and you (Alone) we ask for help.' [TMQ Baqarah: 5]

﴿حَتَّى إِذَا كُنْتُمْ فِي الْفُلْكِ وَجَرَيْنَ بِهِمْ بِرِيحٍ طَيِّبَةٍ﴾

' *He it is Who enables you to travel through land and sea, till when you are in the ships and they sail with them with a favourable wind.*' [TMQ Yūnus: 22]

Then it is adjusted from the direct speech to the absent like in his ﷻ saying

: ﴿ عَبَسَ وَتَوَلَّى ۞ أَنْ جَاءَهُ الْأَعْمَى﴾

' (The Prophet (saw)) frowned and turned away, because there came to him the blind man (Ibn Umm Maktum).'
[TMQ 'Abasa: 1-2]

Then the admonition continued in the manner of indirect speech while the *ayah's* were being revealed and he was the addressee, then he ﷻ turned to speak to him directly:

﴿ وَمَا يُدْرِيكَ لَعَلَّهُ يَزَّكَّى ﴾

' *But what could tell you that perchance he might become pure (from sins) ?'*

[TMQ Abasa:3]

This turning away from the direct address to the indirect and from the indirect to the direct address, it is due to the consideration to the high manners, for the direct speech after the indirect speech gives strength to the direct speech, or eases the meaning of the indirect speech at the same time. Don't we see that in the thanking of Allah and his praise, the manners require indirectness, while during *ibadah* and expression of weakness (to him ﷻ) the direct address is more appropriate? The admonition is light on the admonished by the indirect speech while enquiring might be more appropriate to come from a direct speaker. And from here is what Allah ﷻ taught us in leaving the explicit reference of *shar* (evil) to Allah ﷻ although he is the creator of all things, as he says in the *ayah*:

﴿ بِيَدِكَ الْخَيْرُ﴾

' *In Your Hand is the good (khair).*' [TMQ aal-Imrān: 26]

He was satisfied by mentioning that without saying: 'and in Your Hand is the evil (*shir*)'

﴿قُلِ اللَّهُمَّ مَالِكَ الْمُلْكِ تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ وَتُعِزُّ مَنْ تَشَاءُ وَتُذِلُّ مَنْ تَشَاءُ بِيَدِكَ الْخَيْرُ إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ﴾

'*Say (O Muhammad (saw)): " O Allah ! Possessor of the Power, You give the Power to whom You will, and You take the Power from whom You will, and You endue with honour whom You will, and you humiliate whom You will. In Your Hand is the good. Verily, You are Able to do all things.*'

[TMQ al-Imrān: 26]

While the context of the speech implies that the evil is in your ﷻ hand. Because what is quoted regarding the action of Allah ﷻ being good or bad is from the *insan's* (human) perspective, so giving power and honour is good with regards to *insan*, and taking away power and humiliation of a person is *shar* (evil) with regards to *insan* and Allah ﷻ ascribes this to himself that it is he who has done this, and he ﷻ says in the last part of the *ayah*:

﴿ إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ﴾

' *Verily, You are Able to do all things.*' [TMQ al-Imrān: 26]

And it also includes *shar* like it includes *khair*, and along with this he ﷻ said that through you is *khair* and he ﷻ kept it like that without any mention of *shar* and he ﷻ did not say that in your hand is *shar*, which teaches us that we use high manners. All of this, that is to express in phrases that aim at observing the high manner, is a matter which is well-known for the Arabs in their speech, as it came in their poetry and discourse.

And in this manner the Qur'ān proceeds in its vocabulary and expressions (*ibaraat*) according to the vocabulary of the Arabs and their expressions and their style in the language and it does not move away from it by even by a hair's breadth. At the same time it contains the highest eloquent speech that is more than they did. So its reality is that it is pure Arabic , there is nothing from the foreign languages in it , so it is incumbent on the one who wants to understand the Qur'ān that he does so from the aspect of the Arabic language, and there is no other path to understand it except from this aspect and this is why it is crucial that the Qur'ān's *tafsīr* is performed based on its vocabulary and its expressions and based on the connotation of these words , expression, vocabulary and syntax in the Arabic language. So it's *tafsīr* is performed based on what the Arabic language guides to and what the style of Arabs requires and it is not allowed to perform its *tafsīr* except by what is demanded by the Arabic language and nothing else and The way to know all of that is the reliable transmission (*naql*) through the narration reported by the relevant (person) who knows precisely what he narrates from the eloquent Arabs whose Arabic language is pure.

Thus, the *tafsīr* of vocabulary and phrases as words and expressions is restricted only to the Arabic language, it is prohibited that one performs *tafsīr* with anything other than it. This is what its reality necessitates from this perspective.

As for its reality in terms of *Sharī'ah* meanings like prayer (*salah*) and fasting and *Sharī'ah* rules such as the prohibition of usury, permissibility of trade and the thoughts which have a *Sharī'ah* reality such as angels and *shayateen*, it has been established that the Qur'ān in many of its verses is ambivalent (*mujmal*) and the Messenger ﷺ has come and elaborated on it. It has come general and the Messenger ﷺ has specified it. It came as absolute (*mutlaq*) and the Messenger ﷺ came and restricted it (*muqayyad*). In the Qur'ān Allah ﷻ has clarified that it is the Messenger ﷺ who will explain the Qur'ān. He ﷻ said:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"And We have also sent down unto you (O Muhammad (saw)) the reminder and the advice (the Qur'ān), that you may explain clearly what is sent down to them"

[TMQ Nahl: 44]

So the Qur'ān from this perspective in order to be understood needs familiarity with what the Messenger ﷺ has exlained in terms of the meanings of the vocabulary and syntax of the Qur'ān, whether this explanation is a specification (*takhsis*), restriction (*taqyid*), elaboration (*tafsil*) or anything else. Therefore, to understand the Qur'ān it is imperative that one familiarises himself with the Sunnah related to the Qur'ān i.e, the Sunnah as a whole because it is an explanation of the Qur'ān, this is until one knows from the Sunnah the meanings, rules and thoughts in the Qur'ān. This is why the restriction in understanding the Qur'ān in terms of a complete understanding is not sufficient to restrict oneself only to the Arabic language rather with the knowledge of the Arabic language there must be knowledge of the Sunnah. Even though the Arabic language is the only source referred to in order to understand the indications of vocabulary and syntax in terms of its words and expressions, however to understand the whole Qur'ān one must make the Qur'ān and Sunnah as two indispensible matters. It is inevitable that they both are taken together to understand the Qur'ān and that these two things are available with whoever wishes to perform *tafsīr* of the Qur'ān and that they both are made the medium by which the Qur'ān is understood and explained. As for the stories mentioned in it about the Prophets and Messengers and the events it has narrated about the nations of ancient times, if a sound (*Sahih*) *hadīth* is narrated about it, it is taken otherwise one should confine onself to what has been reported in the Qur'ān in a group of *ayāt*. It is not correct that anything should be known except through these two ways because from the angle of vocabulary and syntax there is no path to the Torah and Bible to understand the vocabulary and syntax narrated by the stories. There is no relevance to the Torah and Bible in understanding these vocabulary and syntax, In terms of the meaning the one who explains it is the Messenger ﷺ through the explicit (text) of the Qur'ān and not the Torah or the Bible. Therefore, there is no path to the Torah and the Bible in understanding the meanings of the Qur'ān because Allah ﷻ has ordered us to refer to the Qur'ān and clarified to us that the Messenger ﷺ has explained the Qur'ān. He ﷻ did not order us to refer to the Torah and the Bible. It is not allowed for us to refer to the Torah and the Bible to understand the stories of the Qur'ān and the reports of ancient nations. Similarly, there is no path to sources other than the Torah and Bible like books of history and the like because the issue is not the explanation of a story until we can say that this is a more extensive source assuming that it is authentic, rather it is the explanation of specific texts which we believe are the words of the Lord of the worlds (*rabbu al-'alamin*). Therfore we must stop at the meanings of these texts in terms of the Arabic language in which the Qur'ān came and whatever this language dictates and also in terms of the *Sharī'ah* definition from the one who has the authority to give the definition, which is the Messenger ﷺ about whom Allah ﷻ said that the Qur'ān has been

revealed to him ﷺ so that he may explain it to the people. Consequently, we must reject any *tafsīr* which comes from the Torah, Bible, historical works etc. It will be a fabriction aginst Allah ﷻ if we think that these are the meanings of Allah's ﷻ words while there is not the semblance (*shubha*) of a *dalīl* that they have any relationship to the meanings of the words of the Lord of the Worlds.

As for what many people claim, in the past and in modern times that the Qur'ān contains sciences, industry, inventions etc. They ascribe to the Qur'ān every science, mentioned by the ancient and modern authors, in terms of the natural and chemical sciences, logic and other subjects. This has no basis and the reality of the Qur'ān refutes them. The Qur'ān did not intend to establish any of the things they claim. All the *ayāt* of the Qur'ān are but; thoughts demonstrating the greatness of Allah ﷻ and *ahkām* to treat the actions of the servants of Allah ﷻ. As for what took place in terms of the sciences there is not a single *ayah* or part of an *ayah* (let alone verses) with the slightest indication of any one of the sciences. As for the *ayāt* which can be applied to theories or facts like the verse:

﴿اللَّهُ الَّذِي يُرْسِلُ الرِّيَاحَ فَتُثِيرُ سَحَابًا﴾

"*Allah is He Who sends the winds, so they raise clouds*" [TMQ Rūm: 48]

The *ayah* has come to demonstrate the power and ability of Allah ﷻ and not to prove scientific viewpoints. As for His ﷻ saying:

﴿وَنَزَّلْنَا عَلَيْكَ الْكِتَابَ تِبْيَانًا لِكُلِّ شَيْءٍ﴾

"*And We have sent down to you the Book (the Qur'ān) as an exposition (tibyan) of everything*" [TMQ Nahl: 89]

What is intended here is everything from the obligations and worships and whatever relates to that as evidenced by the text of the verse. It pertains to the subject of obligations which the Messengers conveyed to the people. And the text of the *ayah* is:

﴿وَيَوْمَ نَبْعَثُ فِي كُلِّ أُمَّةٍ شَهِيدًا عَلَيْهِمْ مِنْ أَنْفُسِهِمْ وَجِئْنَا بِكَ شَهِيدًا عَلَى هَؤُلَاءِ وَنَزَّلْنَا عَلَيْكَ الْكِتَابَ تِبْيَانًا لِكُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً وَبُشْرَى لِلْمُسْلِمِينَ﴾

"*And (remember) the Day when We shall raise up from every nation a witness against them from amongst themselves. And We shall bring you (O Muhammad (saw)) as a witness against these. And We have sent down to you the Book (the Qur'ān) as an exposition (tibyan) of everything, a guidance, a mercy, and glad tidings for those who have submitted themselves (to Allah as Muslims)"* [TMQ Nahl: 89]

Allah ﷻ bringing a Messenger as a witness over his *Ummah* means he ﷺ is a witness over them regarding that which he conveyed to them. And the fact that he ﷻ revealed the Qur'ān to clarify everything means it is a guidance, mercy and glad tidings for the Muslims which definitely means that the thing is not a natural science, logic or geography or any other subject rather it is a thing that relates to the Message i.e, that the Book is an exposition of their *ahkām*s, worships and beliefs (*aqa'id*). A guidance by which people are guided and a mercy for them which saves them from misguidance and gives glad tidings for the Muslims of *janna* (Paradise) and the Good Pleasure of Allah ﷻ. It has no relationship to anything other than the *deen* and its obligations. So the meaning of 'exposition (*tibyan*) of everything' is designated as all the issues of Islam. As for His ﷻ saying:

﴿مَا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ﴾

"*We have neglected nothing in the Book*" [TMQ An'ām: 38]

What is meant by 'Book' is the preserved tablet (*al-lawh al-mahfuz*) which is the knowledge of Allah ﷻ. The word *'kitab'* (book) is a homonym which is explained by the setting in which it came. So, when Allah ﷻ says:

﴿ذَلِكَ الْكِتَابُ لَا رَيْبَ فِيهِ﴾

"*This is the Book (the Qur'ān), whereof there is no doubt*" [TMQ Baqarah: 2]

It is the Qur'ān that is meant. And when He ﷻ says:

﴿مَا كُنْتَ تَدْرِي مَا الْكِتَابُ﴾

"*You knew not what is the Book*" [TMQ Shurā: 52]

I.e, how to write. But when He ﷻ said:

﴿وَعِنْدَهُ أُمُّ الْكِتَابِ﴾

"*And with Him is the Mother of the Book"* [TMQ Ra'd: 39]

And He ﷻ says:

﴿كَانَ ذَلِكَ فِي الْكِتَابِ مَسْطُورًا﴾

"*That is written in the Book (of our decrees)"* [TMQ Isrā': 58]

﴿مَا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ﴾

"*We have neglected nothing in the Book*" [TMQ An'ām: 38]

﴿لَوْلَا كِتَابٌ مِنَ اللَّهِ سَبَقَ﴾

"*Were it not a previous ordainment from Allah*" [TMQ Anfāl: 68]

﴿كُلٌّ فِي كِتَابٍ مُبِينٍ﴾

"*But is written in a Clear Record (kitab mubin*)" [TMQ An'ām: 59]

﴿وَلَا يُنْقَصُ مِنْ عُمُرِهِ إِلَّا فِي كِتَابٍ﴾

"*Nor is a part cut off from his life but is in a Book*" [TMQ Fātir: 11].

All of this mean the knowledge of Allah ﷻ. And His ﷻ saying:

﴿وَمَنْ عِنْدَهُ عِلْمُ الْكِتَابِ﴾

"*and the one who has knowledge of the records*" [TMQ Ra'ad: 43]

i.e, the preserved tablet (*al-lawh al-mahfuz*) which means His ﷻ knowledge. And His ﷻ saying:

﴿فِي الْكِتَابِ مَسْطُورًا﴾

"*Written in the Book (of our decrees*)" [TMQ Isrā': 58]

i.e, the preserved tablet (*al-lawh al-mahfuz*) which is a metaphor for His ﷻ knowledge. And His ﷻ saying:

﴿مَا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ﴾

"*We have neglected nothing in the Book*" [TMQ An'ām: 38]

has come clearly as the knowledge of Allah ﷻ since the complete *ayah* says:

﴿وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ وَلَا طَائِرٍ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَالُكُمْ مَا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ ثُمَّ إِلَى رَبِّهِمْ يُحْشَرُونَ﴾

"*There is not a moving (living) creature on earth, nor a bird that flies with its two wings, but are communities like you. We have neglected nothing in the Book*"

[TMQ An'ām: 38]

Similar to His ﷻ saying:

﴿لَا يُغَادِرُ صَغِيرَةً وَلَا كَبِيرَةً إِلَّا أَحْصَاهَا﴾

"*What sort of Book is this that leaves neither a small thing nor a big thing"*

[TMQ Kahf: 49]

As evidenced in the second *ayah* which came in the same Sura (chapter) - Sura al- An'am - which is:

﴿إِلَّا فِي كِتَابٍ﴾

"Except it is written in a Clear Record (*kitab mubin*)"

[TMQ al-An'ām: 59]

So the verse came:

﴿وَعِنْدَهُ مَفَاتِحُ الْغَيْبِ لَا يَعْلَمُهَا إِلَّا هُوَ وَيَعْلَمُ مَا فِي الْبَرِّ وَالْبَحْرِ وَمَا تَسْقُطُ مِنْ وَرَقَةٍ إِلَّا يَعْلَمُهَا وَلَا حَبَّةٍ فِي ظُلُمَاتِ الْأَرْضِ وَلَا رَطْبٍ وَلَا يَابِسٍ إِلَّا فِي كِتَابٍ مُبِينٍ﴾

"*And with Him are the keys of the ghayb (all that is hidden), none knows them but He. And He knows whatever there is in (or on) the earth and in the sea ; not a leaf falls, but he knows it. There is not a grain in the darkness of the earth nor anything fresh or dry, except it is written in a Clear Record (kitab mubin)"*
[TMQ An'ām: 59]

All of this indicates in this verse the word *'kitab'* does not mean Qur'ān. Rather, it means the "preserved tablet" (*al-lawh al-mahfuz*) which is a metaphor for the knowledge of Allah ﷻ. Thus, there is no connotation in the *ayah* that the Qur'ān contains sciences and other such topics. The Qur'ān is devoid of any discussions about science because its vocabulary and construction (idioms) and also because the Messenger ﷺ did not explain it and so it has no relationship to it. This is the reality of the Qur'ān. It indicates explicitly and clearly that it consists of Arabic texts brought by the Messenger ﷺ from Allah ﷻ which are not explained except with the Arabic language and the Sunnah of the Messenger of Allah ﷺ. As for its *tafsīr* based on a *Shari'ah* evidence mentioned regarding the manner of performing *tafsīr* it is not real and it is baseless because the Qur'ān itself did not clarify to us the manner in which its verses should be explained. The Messenger ﷺ has not been authentically reported to have clarified a specific way of *tafsīr* and the *Sahabah* (may Allah be pleased with them) even though what they explained was the causes of revelation but that was by way of *mawqūf hadīth* and not by way of *tafsīr*. Even if it was by way of explanation and clarification they themselves differed on the *ayaats*. Each one spoke according to his view which indicates that an *ijma'* (consensus) on a specific manner of *tafsīr* did not take place.

Among them there were those who used to take from then people of the Book certain *israli'yyat* which were narrated by the *Tabi'un* and some used to reject their use. However, all of them used to understand the Qur'ān according to what they had in terms of knowledge of the Arabic language and with what they understood from the Sunnah of the Messenger of Allah ﷺ in terms of the saying, action, consent, attribute of creation and moral character of the Messenger of Allah ﷺ and this is a well known fact about all of them. Whoever used to refrain from explaining certain words and verses their restraint was due to the authenticity of the meaning and not as a restriction to what the text has mentioned, one would not give an opinion except if he had reliable knowledge. But that is not called *ijma'* (consensus) because it does not reveal an evidence about the Messenger ﷺ. The reason is that the clarification of the Messenger ﷺ constitutes a Sunnah and not *tafsīr*. However, since the *Sahabah* are the closest people to the correct opinion in the *tafsīr* of the Qur'ān due to their high rank in the Arabic language and their closeness to the one on whom the Qur'ān was revealed in what they used to agree on his ﷺ behaviour, in terms of making the Arabic language such as the *jahili* poetry, and the speeches of *jahiliyya* and others as the only tool for understanding the vocabulary and construction of the Qur'ān, and in terms of stopping at the limits of what has been mentioned about the Messenger ﷺ, and in terms of opening their minds in understanding the Qur'ān according to those two tools, this is the best method to follow in understanding the Qur'ān.

Therefore, we view that the method of performing *tafsīr* of the Qur'ān is that the Arabic language and the Prophet's ﷺ Sunnah should be adopted as the only tool in understanding the Qur'ān and its *tafsīr* in terms of its vocabulary and construction, in terms of the *Sharī'ah* meanings, *Sharī'ah* rules, and the thoughts that have a legal reality. The method of explaining the Qur'ān is that we understand the texts to the extent as is indicated by the speech of the Arabs and their customary usages and whatever the expressions indicate in terms of *Sharī'ah* meanings mentioned in a *Sharī'ah* text of the Qur'ān or Sunnah which is not restricted to the understanding of the previous forebearers such as the *'Ulama*, *Tabi'un* or even the *Sahabah* because all of these are *Ijtihāds* which may be mistaken or correct. Maybe the mind is guided to the understanding of an *ayah* whose reality becomes conspicuous to the *mufassir* during an extensive perusal of the Arabic language or it becomes apparent to him during the changing of things, progress of material forms (*ashkal madaniyya*), realities, events. By opening the mind to creativity, by understanding & not invention, the creativity in *tafsīr* takes place within the limits demanded by the word *'tafsīr'* while at the same time protecting oneself from misguided invention of meanings which has absolutely no relationship to the text being explained. This conformity in understanding and giving the mind free reign by what his best understanding of the text, without restriction to the understanding of any human being except the person on whom the Qur'ān was revealed necessitates that all *israiliyyat* are rejected restricting oneself only to the stories mentioned in the Qur'ān and rejecting what they claim to be sciences contained in the Qur'ān and stopping at the limit of what the structures of the Qur'ān mean in terms of the *ayaats* which discuss the universe and whatever is intended by them in terms of clarifying the greatness of Allah ﷻ. This is the method of performing *tafsīr* of the Qur'ān, the *mufassir* has to adhere to it and its burdens must be borne by whoever wishes to perform *tafsīr* of the Qur'ān.

The Science of *Ḥadīth ('Ilm Al-Ḥadīth)*

It is the science of those laws whereby the condition of the *sanad* [chain of transmission] and *matn* [text of the *ḥadīth*] is known. Its objective is to differentiate the *sahīh hadīth* from the others. It is of two types: the science of *hadīth* pertaining to transmission [*riwāya*] and the science of the *hadīth* pertaining to meaning [*dirāya*]. As for the one pertaining to transmission, it includes the transmission of the sayings of the Prophet ﷺ, his actions, consent and attributes, with repsect to their narration, accuracy and transcription of words [*tahrīr alfādh*]. As for the one pertaining to the meaning, the reality, conditions, types and rules of transmission are known through it, as well as the state of the transmitters, their conditions, the types of the transmissions and that which is related to it. *Dirāya* also covers knowledge of the meaning contained in the *hadīth* in terms of whether it contradicts a definitive text.

The *Hadīth*

One should be familiar with the meanings of terms that are frequently used by the *muhaddithin*. They are: *hadīth*, *khabar*, *athar* and *Sunnah*; from the perspective of the terms of *hadīth* and its transmission: *matn*, *sanad*, *isnād*, *musnad* and *musnid*; from the perspective of the transmitters: *muhaddith*, *hāfidh*, *hujjah* and *hākim*. As for the exposition of the meanings of these words in the terminology of *hadīth*, then it is as follows:

1. *Hadīth*: Whatever has been attributed to the Prophet ﷺ of his sayings, actions, consent or physical attributes i.e, relating to his creation such as his not being tall nor short, or his character, that is, relating to his character such as his [not countering anyone with anything *makrūh*]. *Khabar* and *Sunnah* have this same meaning. They are synonymous with the term *hadīth*. All of them, i.e, *hadīth*, *khabar* and *Sunnah* have the same meaning. As for *athar* it is the *hadīth* stopping [*mawqūf*] at the *Sahābah* ﷺ.

2. *Matn*: The speech which comes at the end of the highest part of the *sanad*. The *sanad* is the path leading to the *matn* which is the men (transmitters) who lead to it. The *isnād* raises (links) the *hadīth* to the one who said it. *Musnad* is that (*hadīth*) whose chain connects its beginning to its end (without any breaks) even if it is *mawqūf*. The word *musnad* is also applied to a book in which transmissions of the *Sahabah* are collected. As for *musnid* it is the person who narrates the *Hadith* with its *isnād*.

3. *Muhaddith*: someone who carries the *hadīth* and devotes his attention to it in terms of its transmission and meaning. The *hāfidh*: someone who has committed to memory a hundred thousand *ahadīth* with the *matn* and *sanad* even if through various lines of transmission and he is aware of what he requires. The *hujjah*: someone who is thoroughly acquainted with three hundred thousand *ahadīth*; and the *hākim*: someone who is thoroughly acquainted with the entirety of the *Sunnah*.

The Transmitters of *Hadīth (Ruwat Al Hadith)*

The narration of *hadīth* came to an end after the compilation of *ahadīth* in the books. After the age of the recording of *ahadīth*, the age of Bukhari, Muslim and the compilers of the *Sunan* there is no narration of *ahadīth* because narration [*riwaya*] is indicative of transmission [*naql*] and this transmission came to an end. The transmitters of *ahadīth* are the *Sahabah*, the *Tabi'een* and others. The *'ulamā* of *hadīth* say that whoever saw the Prophet ﷺ and believed in him is a *sahābi*. However, the truth is that the *sahābi* is whoever has actually realised the meaning of companionship [*suhbah*]. In a narration from Sa'id ibn al-Musayyab,

"لا بد من أن يصحبه سنة أو سنتين أو يغزو معه غزوة أو غزوتين"

"It is essential (to be considered a companion) that one accompanied the Prophet ﷺ for one or two years, or went out with him on one or two battles."

Shu'bah related from Musa al-Sibillāni - whom he praised with good - that he said,

"قلت لأنس بن مالك: هل بقي من أصحاب رسول الله ﷺ أحد غيرك؟ قال: بقي ناس من الأعراب رأوه، فأما من صحبه فلا"

"I said to Anas ibn Malik, 'Does there remain any of the Companions of the Messenger of Allah (*saw*) other than you?' He said, 'There remain people from the bedouins who saw him, as for his companions, then no"

All of the *Sahābah* are trustworthy ['*udūl*] because Allah ﷻ has praised them in his Book and due to the commendation of their character and actions stated in the prophetic *Sunnah*. As for the *Tabi'een*, then a *tabi'ī* is designated as the one who met a *sahābi* and narrated from him, even if did not have companionship with him, like Sa'id ibn al-Musayyab, Qays ibn Abī Hāzim, Qays ibn 'Ubād and Abu Sāsān Husayn ibn al-Mundhir. The history of the transmitters of *hadīth* has been written and each one has been identified. The *Sahabah* are not protected from mistakes. Hāfidh al-Dhahabī al-Dimishqī said,

"وأما الصحابة رضي الله عنهم فبساطهم مطوي وإنْ جرى ما جرى، وإنْ غلطوا كما غلط غيرهم من الثقات. فما يكاد يسلم من الغلط واحد، لكنه غلط نادر لا يضر أبداً. إذ على عدالتهم وقبول ما نقلوا العمل، وبه ندين الله تعالى"

"As for the *sahabah* (*ra*) their matter has been settled despite what happened, even though they made mistakes as other reliable people [*thiqāt*] did. Barely a single one of them is without mistakes but the mistakes are rare and not harmful. Thus on the basis of their trustworthiness and acceptance of what they transmit we act and obey Allah ﷻ."

As for the *Tabi'een*, those who would intentionally lie amongst them are almost non-existent. However they made mistakes and misinterpreted. The one whose mistakes were rare bore the consequences and whoever made many mistakes and was of wide knowledge was also forgiven. His *hadīth* is transmitted and acted upon despite differences amongst the *Imāms* and even if it was established that they protested to this description such as al-Harith al-A'war, 'Asim ibn Hanbal, Salih the freed slave of al-Tawa'ma, 'Atā ibn al-Sā'ib and their likes. The one who made terrible mistakes and had many isolated cases (*tafarrud*), his *hadīth* is not relied upon. This hardly occurs with the early *Tabi'een* though it was present among the younger *Tabi'een* and those who came after them. As for the students of the *Tabi'een* like al-Awzā'i and others they are on the

mentioned levels. In their age there were those who would intentionally lie and would make many mistakes; their *hadīth* would thus be disregarded.

Malik, who is the leading star of the *Ummah* was not safe from being spoken about. When referred to Malik for evidence and if somebody said that he (Malik) was contested, such person would be rebuked and abused. Al-Awza'i is also a trustworthy and authentic, and he might have been single handed and mistaken (in narration) and his reports from az-Zuhri has defects.

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The One Whose Narration is Accepted and the One Whose Narration is not Accepted and the Exposition of (the science of) invalidation and attestation of reliability (*al-Jarh wa Ta'dīl)*

It is stipulated concerning someone whose narration is used as proof that he be *'adl* (trustworthy) and *dābit* (accurate) in that which he narrates. As for the '*adil*, it is the Muslim, mature, sane person who is free from the causes of *fisq* (transgression) and doubt in his piety. As for the *dābit*, he is the one who is aware and not forgetful; a memoriser of his narration if he narrates from memory, and accurate in his transcription if he narrates from a book, and knowledgeable of the meaning of what he transmits and of what will change the intended meaning if he narrates by meaning.

The *adālah* (trustworthiness) of a narrator is established by his becoming known with good and the praise given to him; so whoever becomes well known for his trustworthiness amongst the people of transmission and their like from the people of knowledge and praise for his reliability and trustworthiness become widely known, this suffices him from needing any testimonial proof of his *adālah* (trustworthiness). The *adālah* of a transmitter is established likewise by the attestation (*ta'dīl*) of the *imams* or by one of them if his trustworthiness and scholarly approval of him is not well known.

A transmitter's accuracy (*dabt*) is known by comparing his narrations with that of the reliable (*thiqāt*) narrators who are known for their accuracy and precision. If his narrations are found to be in accord with their narration even if (only) in meaning or they are in accordance in the majority of cases and divergences are rare then his accuracy is established.

Attestation (*ta'dīl*) of a transmitter's reliability is accepted, whether the reasoning is mentioned or not; contrary to the invalidation (*jarh*). Due to the divergent views of people as to the causes of *mafsaqah* (transgression), it (*jarh*) is not accepted except when the reason has been explained and clarified. The one who invalidates (*jārih*) a transmitter may believe something to be a transgression so he judges the transmitter as weak but in reality it may not be so, or it might not be so according to others; that is, one may consider something as an invalidation based on what he believes to be an invalidation which in reality is not a (legitimate) invalidation. That is why explanation of the reason for invalidation has been made a condition so that one can look into whether it is a (legitimate) invalidation or not. The invalidation can be established by one person; there is no stipulation on the number. One person is sufficient in attesting (*ta'dīl*) and invalidating (*tajrīh*) a transmitter's *adalāh* because it constitutes the informing of a report for which one person is sufficient. Similarly, in the accepting of a report – rather one person is sufficient - the number is not stipulated in invalidating or attesting a transmitter's *adalāh*.

When there combines in one person an invalidation (*jarh*), the reason for which is clarified, and an attestation, then the invalidation (*jarh*) is given precedence, even if there are many people attesting to (the transmitter's) *adalāh* because the one who attests (*mu'addil*) a transmitter's reliability informs of what is apparent of the transmitter's condition but the one who invalidates (*jārih*) informs of what is hidden and concealed from the one who validates. As for the number of those validating being greater that is of no value for that is not the reason ('*illah*) for accepting the report. Rather, the reason is familiarity (*itlā'*) (with a transmitter's condition) or the lack of familiarity. The *fuqahā* restricted this to when the attestator (*mu'addil*) does not say: 'I know the reason mentioned by the *jārih* but he has since repented and his condition has improved'. When the *jārih* mentions a specific reason for invalidation, the *mu'addil* can nullify it if he knows anything that indicates definitely that the reason has been nullified.

Disparagement (of a transmitter) can take place due to ten things. Five of them relate to *'adālah* and five relate to accuracy (*dabt*). As for the five that relate to the *'adālah* they are: mendacity (*kidhb*), accusation (of any impropriety), manifestation of *fisq*, ignorance (*jahālah*) and innovation (*bid'ah*). As for the five which relate to accuracy (*dabt*) they are: serious errors, flagrant negligence, delusion (*wahm*), contradicting reports of reliable transmitters, and bad retentive ability.

As for the transmitter whose condition is not known (*majhūl al-hāl*), there are categories:

1. *Majhūl al-'adālata dhāhiran wa bātinā*: a transmitter whose apparent and hidden *adālah* is not known; his narration is not accepted.

2. *Mastūr*: a transmitter whose hidden condition is not known but he is upright on the apparent; He is a narrator with a blameless record (*mastur*). This transmitter's narration is used.

3. *Majhūl al-'ayn*: a transmitter who is not known to the *ulamā'*, and whose *hadīth* is known only through one narrator.

Anonymity of the transmitter is removed by his acquaintance of the *ulamā'* or by the narration of the attestators (*mu'addalīn*) about him. One narration or one attestation (*tadeel*) is enough. Al-Bukhāri narrated from al-Walīd ibn Abd al-Rahmān al-Jārūdī while none except his son al-Mundhir ibn al-Walīd narrated from him. Similarly, Muslim narrated from Jābir ibn Ismā'īl al-Hadramī while only Abdullah ibn Wahb narrated from him. Thus the anonymity of both was lifted by a lone narration.

Narrations of the Muslim Sects

All of the *Sahabah* are trustworthy (*'udul* sin:*adl*). That is why people did not ask about the *isnād* in the time of the Prophet ﷺ and after him ﷺ until the *fitna* (civil war) took place then they asked about the *isnād*. The *Sahabah* and others (after them) encouraged people to examine the one from whom the *hadīth* is taken. It has been narrated by Abu Sakina Majashi' ibn Fateena that he said: I heard 'Ali ibn Abu Talib ﷺ that he was in the mosque of Kufa where he said:

"انظروا عمن تأخذون هذا العلم فإنما هو الدين"

'Scrutinise the person from whom you take you this knowledge for it is the *deen*.'

Al-Dahhak ibn Muzahim said:

"إن هذا العلم دين فانظروا عمن تأخذونه"

'Indeed this knowledge is the deen so consider the person from whom you take the knowledge.'

And Muhammad ibn Sirin said:

"إنما هذا الحديث دين فانظروا عمن تأخذونه"

'Indeed this *hadīth* is deen so consider from whom you take it.'

After the *fitna* (civil war), several Islamic sects arised which adopted novel opinions. The followers of these sects claimed that they deduced these opinions, which they came to profess, from the *Sharī'ah* texts until they became Islamic opinions. And when some of them required a proof but did not find the evidence in the *Sharī'ah* texts for the opinion he holds then he would fabricate a *hadīth* which supported his opinion and he would attribute it to the Messenger ﷺ. Some of them use to carry the call to join his sect and grow interest in it or call (*Da'wah)* to their opinions and desire to fabricate the *ahadīth*. These new opinions were termed as *bid'as* (innovations) and the people who did this were called *mubtadi'a* (innovators). This is why taking *ahadīth* from these people is subject to scrutiny and their narration of *hadīth* used to be a subject of debate. There are detailed clarifications regarding their situation. Thus the *mubtadi'* (innovator) who is charged with *kufr* due to his *bid'a* (innovation), there is no problem in rejecting his narration. If he is not charged with *kufr* but he permits lying then his narration is rejected as well. As for the ones who does not permit lying then his narration is accepted on the provision that he does not call (invite) to his sect or school (*mazhab*). If he calls to his sect then his narration is rejected and his reports are not advanced as proofs.

In short, any Muslim who meets the conditions for the acceptance of a narration, if he is trustworthy (*'adl*) and accurate (*dabit*) then his narration is accepted irrespective of his *mazhab* or sect as long as he does not call to his sect or *mazhab* because inviting people to the sect or *mazhab* is not allowed. As for the one who invited people to Islam and explained the thoughts he has adopted with their evidences then his narration is accepted because then he is calling people to Islam. And this person's narration is not impugned.

Narration by meaning (*Riwaya bil Ma'na*) and abridgement of the *hadīth*

It is permitted to narrate *hadīth* by meaning because we do not worship Allah ﷻ by the words of a *hadīth* but by its meaning because the *wahy* (revelation) is the meaning of the *hadīth* and not its words. However, it has been stipulated that the narrator be knowledgeable about anything that can change the meaning. If he is not knowledgeable or cognizant of that then it is not allowed to narrate *hadīth* by meaning. As for the abridgment of the *hadīth* it is allowed. It is allowed to narrate a *hadīth* in an abridged form with a part omitted and a part mentioned on the condition that the omitted part does not relate to the part mentioned. However, it is not allowed to omit or exclude the objective (*gaya*) and other such things which would make the meaning deficient or make the part of the *hadīth* which has been mentioned lead to a meaning which is completely contrary to the (actual) meaning of the *hadīth*. If the objective (*gaya*) or other such matters in the narration are secondary and there is doubt in the narration then it is obligatory to narrate the part which is reliable and the part that is doubted is removed.

Categories of *hadīth*

The *khabar* (report) which is synonymous with the terms *hadīth* and Sunnah, in terms of the line of transmission is divided into the *khabar mutawatir* (continuously recurrent report) and *khabar ahad* (isolated report). The *mutawatir* comprises of four issues, they are:

1. The number of transmitters should be such that they are a group and not be restricted to any specific number. So whatever number proves to be a group is considered *mutawatir* provided it fulfills the other conditions.

2. It should preclude the collusion on a lie, this differs according to the difference of persons and places, so five people like 'Ali ibn Abi Talib are sufficient to consider a report as *mutawatir*. Probably with other people five may not be sufficient. Five transmitters who have not met from five different lands may be enough for the report to be considered as *mutawatir* because they did not meet in one place so as to collude. Probably a report (*khabr*) by the same number of people in one land may not suffice.

3. That they transmit the report from a group like them from the beginning to the end of the transmission, in a manner that precludes collusion on a possible lie, even if they were not of the same number. In other words, the first two conditions should be met in every tier of transmitters.

4. The basis of their conclusion should be sense perception, by hearing and other such senses and not what the pure reason establishes because it can make mistakes if it is not based on sense perception. Therefore it does not amount to certainty.

The rule (*hukm*) of the *mutawatir* report is that it yields positive knowledge (*'ilm daruri*). It is what one is compelled to accept such that he is unable to confute it. It is indispensable because it does not require study i.e, the the *mutawatir* report imparts certainty (*yaqin*). The *mutawatir* report is divided into two categories: verbal (*lafzan*) *mutawatir* like the *hadīth*:

﴿من كذب علي متعمداً فليتبوأ مقعده من النار﴾

"Whosoever intentionally lies about me, let him reserve his place in the Hellfire" [Reported by Muslim on behalf of Abu Hurairah]

And the *hadīth* of wiping on the leather socks, *hadīth* of *hawd* (river in paradise), *hadīth* of intercession (*shafa'a*) and the *hadīth* of raising the hands (*raf' al-yadayn*) in prayer.

The *mutawatir* by meaning (*ma'na*) is when the transmitters concur on a matter occurring in difference incidents such as the Sunnah of the morning prayer (*Fajr*) being two rakats. It does exist. Numerous *mutawatir ahadīth* have been reported even though the *'Ulamā* differ on what constitutes *mutawatir* according to their different views about the *mutawatir* report.

As for the Isolated report (*khabar al-ahad*), it is the report whose narrators have not reached the number required for the *mutawatir*, whether it was reported by one or four narrators i.e, it is the report which falls short of the preceding four conditions mentioned for the *mutawatir* report. It is categorised in terms of the number of narrators, into three categories:

1. *Gharib* (alien): it is the report narrated by a single transmitter i.e, there is a single narrator throughout the narration at a stage in the *isnād*. It is divided into: *gharib* in *isnād* only, and *gharib* in *isnād* and *matn* together. There is nothing called *gharib* in *matn* only. The *gharib* in *matn* and *isnād* is the narration by a single narrator, such as the *hadīth* prohibiting the sale of *wala* (patronage) and its gifts. The *gharib* in *isnād* and not in *matn* is the *matn* which has been narrated by a group of *Sahabah* but a transmitter has a single narration from another *Sahabi* like the *hadīth*:

﴿الكافر يأكل في سبعة أمعاء، والمؤمن يأكل في معي واحد﴾

"The muslim eats in one intestine and the kafir eats in seven"

[Narrated by Tirmidhi on Behalf of Abu Musa AlAsh'ari]

2. *Aziz* (scarce): It is a report transmitted by more than one narrator but less than four i.e, what two or three narrators have transmitted even if they are of the same rank, it is called *aziz* (scarce) due to its rarity.

3. *Mashhur* (famous): A report which has been narrated by more than three narrators but did not reach the level of *mutawatir*. It is called *mashhur* due to it being clear and widely mentioned amongst the people whether a *sanad* (chain) was found for it or was not found originally. It is also the *mustafid* (comprehensive). It has two categories: *mashhur* according to the scholars of *hadīth* and *mashhur* for the general public. The first is like the *hadīth* of Anas:

﴿أن النبي ﷺ قنت شهراً يدعو على رعل وذكوان﴾

"The Prophet recited Qunut for one month (in the *Fajr* prayer) asking Allah to punish the tribes of Ral and Dhakwa"

[Reported by Bukhari , Muslim & Ahmad]

And the second category is like the *hadīth*:

﴿المسلم من سلم المسلمون من لسانه ويده﴾

"A Muslim is someone from whose (sharp) tongue and hands other Muslims are safe"
[Reported by Bukhari on behalf of Abdullah ibn Amr]

Not every *mashhur* report among people is *Sahih*. Certain *hadīth* may become famous amongst people which do not have any basis or are entirely fabricated. There are many, .like the *hadīth*:

﴿يوم صومكم يوم نحركم﴾

"The day of you fast is the day of your sacrifice".

It is baseless. The *Khabar al-ahad* also, whether it is *gharib*, *aziz* or *mashhur*, its *isnād* has a termination point; either it ends with the Prophet ﷺ or with a *Sahābi* or *tabi'i*. In terms of the end of the chain there are three types:

1.*Marfu'*: It is a report which has been specifically ascribed to the Prophet ﷺ in terms of his action, saying, consent or attribute, whether the one who attributed it to the Prophet ﷺ was a *Sahābi*, *tabi'i* or someone after them. Included in this is when the *Sahābi* says:

﴿كنا نفعل أو نقول كذا في حياة رسول اللهﷺ﴾

"We used to do or say such and such thing during the life time of the Messenger ﷺ",

Or

﴿وهو فينا﴾

"While he was among us",

Or

﴿وهو بين أظهرنا﴾

"He was in front of us",

Or

﴿كنا لا نرى بأساً بكذا﴾

"We did not see anything wrong with such and such thing",

Or

﴿كانوا يفعلون ويقولون﴾

"They (*Sahabah*) used to do or say such and such a thing"

Or

﴿يقال كذا في حياة رسول الله ﷺ﴾

"Such and such a thing was said during the lifetime of the Messenger ﷺ"

Included in this is also when the *Sahābi* says:

﴿أُمرنا بكذا أو نُهينا عن كذا﴾

"We were ordered to do such and such thing, or we were forbidden from doing such and such thing"

Or

﴿من السنّة كذا﴾

"Such and such thing was from the Sunnah".

From the *marfu'* report is also when the *Sahābi* says:

﴿كنا نفعل أو نقول كذا﴾

"We used to do or say such and such thing"

Even if they did not attribute it to the Prophet ﷺ because this indicates a consent. Similarly, the saying of Anas ibn Malik is considered as a *marfu'* report when he said:

﴿كانت أبواب النبي تقرع بالأظافير﴾

"The Prophet's doors used to be knocked using the fingernails"

[Reported by AlBazzar]

And when Anas said ;

﴿أمر بلال أن يشفع الأذان ويوتر الإقامة﴾

"Bilal was ordered to double the azan and make one iqama"

[Reported by Muslim]

Similarly the *tafsīr* of the *Sahabah* concerning the cause of revelation comes under the rule of the *marfu'* report. Anything other than that from the *tafsīr* of the *Sahabah* is not considered part of the *hadīth*. This is because the *Sahabah* performed many *Ijtihāds* in explaining the Qur'ān and they disagreed as a result. Also we find many of them used to narrate *israiliyyat* from the people of the

Book. That is why their *tafsīr* is not considered part of the *hadīth* let alone be considered as a *marfu' hadīth*.

2. *Mawqūf*: It is the narration from the *Sahabah* in terms of their saying and action, its application is specific to the *Sahābi*. Its *isnād* can be continuous or broken. It is the report many of the *Fuqaha* and *muhaddithun* also call *athar*. The *mawqūf* does not establish a proof (*hujjah*) because Allah ﷻ said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

"And whatsoever the Messenger (saw) gives you, take it, and whatsoever he forbids you, abstain (from it)."
[TMQ Hashr: 7]

The understanding is: whatever is brought to you from other than the Messenger ﷺ do not take it. Therefore, it is not a proof (*hujjah*) for anyone except when it is from the Messenger of Allah ﷺ. It is not permitted to ascribe it to the Messenger of Allah ﷺ because it is a mere possibility and not a preponderant opinion (*ẓann*) and possibilities are not recognised.

3. *Maqtu'*: It is not the same as *munqati'*. The chain stops at the *Tabi'i*; in terms of his saying and action. A proof is not established by it and it is weaker than the *mawqūf*.

Categories of the *Khabar al-Ahād*

The *khabar al-ahad* (isolated report) in its three forms: *gharib*, *'aziz* or *mashhur*, whether *marfu'*, *mawqūf* or *maqtu'* is divided by the scholars of *hadīth*, in terms of its acceptance or rejection, into three categories: *Sahih*, *hasan*, *da'eef*. The following is a clarification of each category:

1. *Sahih* ; It is the *hadīth* whose *isnād* continues through the transmission of a trustworthy (*'adl*) narrator whose retention is accurate (*dabit*) from an another upright transmitter who has an accurate retentive ability until the end of the chain and is not *shadh* (irregular) or *mu'allal* (defective) i.e, the *isnād* of the *hadīth* is linked by the transmission of an upright (*'adl*) and accurate (*dabit*) narrator from someone similar to him until it ends with the Messenger of Allah ﷺ or ends with a *Sahābi* or someone else. The statement that the

"الذي يتصل إسناده بنقل العدل الضابط عن مثله"

'The *isnād* of the *hadīth* continues through the transmission of a trustworthy (*'adl*) and accurate (dabit) narrator from someone similar to him'

excludes it from the *mursal*, *munqati'* and *mu'dal ahadīth*, which are not from the category of *Sahih*. Because the *mursal* is what the *Tabi'een* has narrated about the Prophet ﷺ without mentioning the *Sahābi*. The *munqati'* is when a single narrator is missing in one or more places in the *isnād*. The *mu'dal* has two or more narrators missing from one or more places in the *isnād*. All of them, that is the *mursal*, *munqati'* and *mu'dal* have discontinued *isnād*s which takes it out of the *Sahih* category.

The statement that;

"ولا يكون شاذاً"

"the *ahadīth* should not be *shadh* (irregular)"

excludes the *Sahih hadīth* from the *shadh* report where a trustworthy narrator goes against the transmissions of narrators who are more reliable than him.

The statement:

"ولا يكون معللاً"

"It should not be *mu'allal* (defective)"

excludes the *Sahih ahadīth* from the *mu'allal* report which has a defect.

The *'illah* (defect) consists of a denigratory thing in the *hadīth* effecting its rejection, which appears to the *rijal* critics when collecting and collating the various transmission routes of the *hadīth*, such as the chain of a narrator being continuous while a group has transmitted as *mawqūf* i.e attributed it to a *Sahabi*.

The statement:

"بنقل العدل"

"By the transmission of an upright narrator",

It excludes the report narrated by a transmitter whose apparent and hidden condition is not known, *majhul al-'ayn*, or the transmitter is known to be weak, such a *hadīth* is not considered as *Sahih*.

The statement:

"بنقل الضابط عما نقله غير الحافظ المتيقظ"

'By the transmission of a narrator who has accurate retentive ability (*dabit*)" excludes what has been narrated from someone who has memorised a *hadīth*, aware that his transmission is negligent and full of mistakes; this report is not considered a *Sahih hadīth*. Rather, all the conditions which have been clarified should be met in the *Sahih ahadīth*. If any one condition is not met then the *hadīth* is not *Sahih*.

2. *Hasan*: It is a report that is known by the one who reported it and its transmitters became well known and consequently it is the core of most of the *hadīth*. It is a *hadīth* most scholars accept and it is used by the *fuqaha* generally i.e, that in the *isnād* there are no narrators that have been charged with lying and it is not a *shadh* (irregular) *hadīth*. These are two types:

First: a *hadīth* whose *isnād* is not free from transmitters who are *mastur* (of hidden conditioin) and whose capacity is not realised. However they are not negligent and are not prone to make mistakes and nor are they charged with mendacity. The *matn* of the *hadīth* may have been narrated by someone at a similar level to him due to which it will not be included as *shadh* or *munkar* (rejected).

Second: The narrators must be known for their honesty and trustworthiness but they do not attain the level of the transmitters of the *Sahih* category in retention and exactitude. A narrator who is alone in transmitting a report is not considered as *munkar* (rejected) and nor is the *matn* irregular (*shadh*) or defective (*mu'allal*).

So the *hasan ahadīth* is the report transmitted by an upright (*'adl*) narrator who is of lesser retentive capacity, whose *isnād* is continuous and not irregular (*shadh*) or defective (mu'allal), the *hasan hadīth* is used as proof exactly as the *Sahih hadīth* is used.

3. *Da'eef*: It is the *hadīth* which does not have the qualifications of the *Sahih* or *hasan ahadīth*. The *Da'eef* (weak) *hadīth* is not used as evidence at all. It is a mistake to say that when a *da'eef hadīth* comes via numerous lines of transmission then it rises to the level of *hasan* or *Sahih*. For when the *hadīth* is weak this means the narrators have actually committed transgressions or have been accused of lying. When the *hadīth* has come through other lines of transmission which are of this type, then it has increased in its weakness. As for when the meaning contained in the *da'eef hadīth* is also contained in the *Sahih ahadīth*, then the *Sahih hadīth* is cited and the *da'eef hadīth* is disregarded. Therefore, the *da'eef hadīth* is not used as proof in any way whatsoever.

The accepted *hadīth* (*maqbul*) and the rejected *hadīth* (*mardud*)

It becomes clear from dividing the *hadīth* into *Sahih*, *hasan* and *da'eef* that the *hadīth hasan* and *Sahih* are both advanced as proof and the *da'eef hadīth* is not. What makes the *hadīth* acceptable or rejectable is the consideration of the *sanad*, transmitter and *matn*. If a narrator is not ommited from the *sanad* whose ommision will lead to the inibility to attest the reliablity of the ommitted narrator and the narrator's probity is not impunged and the *matn* is not weak and does not contradict any part of the Qur'ān or the *mutawatir* Sunnah or definite *ijma'*, then in this case the *hadīth* is accepted, acted upon and adopted as a *Shari'ah* evidence whether it was *Sahih* or *hasan*. As for when the *hadīth* is contrary to these qualifications it is rejected and not educed as proof. Therefore, the rejected *hadīth* is the *hadīth* which is rejected due to the ommision of a narrator from the *sanad* which results in the inability to attest the reliabilty of this narrator or due to a narrator's probity being impungned, or due to the weakness of the (*matn*) of the *hadīth* or its contradiction with the Qur'ān, *hadīth* and *ijma'* which are definite. Various types of *hadīth* come under the *hadīth mardud* (rejected), following are their characteristics:

1. *Mu'allaq*: when there is one or more narrators consecutively missing from the beginning of the *sanad* in a manner that is quite obvious. The term 'more' is more general to include the whole or part of the *isnād*. Also included is the ommision of the whole chain by the *muhaddith* or the *hadīth* compiler, such as when he says: The Messneger of Allah ﷺ said or did such and such thing.

2. *Mu'dal*: Is a chain in which two or more narrators are missing from one or more places. It includes when the *tabi at-tabi'i* omits a *tabi'i* and *sahābi* from the *isnād*. It does not include the statement of authors from the *fuqaha* when they say:

"قال رسول الله ﷺ"

"The Messenger of Allah ﷺ said"

Or their statement

"عن رسول الله ﷺ"

"About the Messenger of Allah ﷺ".

It is not *mu'dal* becaue it is not a transmission, rather it constitues qouting and educing a proof which is correct.

3. *Munqati'*: When a single narrator is missing before the *Sahābi* from one of the places. If there is more than one place such that the narrator who ommits does not ommit more than one narrator from each place then it will be *munqati'* in these places. Also considered to be *munqati'* is the chain in which there is a obscure narrator (*mubham*). An example of a transmitter being ommitted is what has been narrated by 'Abd al-Razzaq from al-Thawri from Abu Ishaq from Zayd ibn Yathi' from Hudhayfa, which goes back to the Prophet ﷺ that he said:

"إن وليتموها أبا بكر فقوي أمين"

"If you assigned it (authority) to Abu Bakr, indeed he is powerful and honest."

The *isnad* has breaks in two places. Firstly, 'Abd al-Razzaq did not hear from al-Thawri but rather narrated it from al-Nu'man Ibn Abi Shayba al-Jundi who narrated from al-Thawri and secondly, al-Thawri did not hear from Abu Ishaq but rather narrated it from Shurayk who narrated from Abu Ishaq. The *hadīth*, therefore, is rejected. An example of a transmitter being nondescript is

what is narrated by Abu al-'Ala ibn 'Abd Allah ibn Shukhayr from two men from Shaddad ibn Aws:

"اللهم إني أسألك الثبات في الأمر"

“O Lord! I ask you to make me staedfast in the matter”.

Therfore, the *hadīth* is rejected due to the presence of unknown (*majhul*) narrators in the transmision.

4. *Shadh*: It is when a reliable transmitter narrates a *hadīth* which condradicts what others have narrated. It is not *shadh* if a reliable narrator transmits something no one else has narrated. Because the narration of a reliable transmitter is accepted even if others have not narrated it and it is used as a proof. It is like the *hadīth*:

﴿إنما الأعمال بالنيّات﴾

“Actions are judged according to intentions”.

Only 'Umar narrated it and from him only 'Alqama narrated it. A single narrator Muhammad ibn Ibrahim al-Tamimi narrated from him from who only Yahya ibn Said al-Ansari narrated. From Yahya ibn Said there was a proliferation of transmission routes. Therefore, the *shadh* is only when a reliable narrator transmits somthing which contradicts what has been narrated by others i.e, when the accepted narrator transmits a report which goes against the report of those more likely to be correct in their transmission.

5. *Mu'allal*: It is a *hadīth* which has a defect (*'illah*). It is the *hadith* which is discovered to have a defect which impairs its authenticity, although it apparently seems to be sound. It goes back to the *isnād* whose transmitters are reliable and which apparently includes the conditions of authenticy.

6. *Munkar*: What a single unreliable transmitter narrates alone. The *munkar* is the narration of a weak narrator which contradicts the report of a transmitter who is less weaker.

7. *Mawdu'*: The *hadīth mawdu'* is the forged and fabricated *hadīth*. The fabricated *hadīth* is the evil of the weak *ahadīth*. The narration of anyone whose condition is known is not allowed except when it is linked to clarifying its fabricated status. A *hadīth* is known to be fabricated when the forger acknowledges its fabrication or something which is tantamount to the position of a confession. The fabrication can be understood from the indication of the transmitter's condition, such as the narrator following the whims of certain leaders in his lies or while he is attributing the *hadīth* he is caught as a consummate liar because that report does not come from any route other than him, no one agrees with him and he has no witness or we can discern mendacity from the condition of what has been narrated i.e, from the state of the *matn*, if it is weak in its wording or meaning or it contradicts some of the Qur’ān, *mutawatir* sunnah and definite *ijma'*. There are diffent types of *hadīth* fabricators. The ones causing most harm are those associated with *zuhd* (pious ascetism). They fabricated hoping to get reward for what they alleged. The danger is that people accepted their fabrications, trusting and relying on them. Then when a forger fabricated a saying the people narrated it. Probably, he took a saying from the sages or others and falsely ascribed it to the Messenger of Allah ﷺ. From the fabricated *ahadīth* are the *ahadīth* about the excellence of the Qur’ān Sura by Sura especially narrations (allegedly) on the authority of 'Ubay ibn Ka'ab and the *isnād*: Abu 'Isma > 'Ikrama > Ibn 'Abbas. Its spuriousness has been established from the study (cross refrences) of scholars and by the confession of Abu 'Isma. It has been narrated that he said:

"إني رأيت الناس قد أعرضوا عن القرآن واشتغلوا بفقه أبي حنيفة ومغازي محمد بن إسحاق فوضعت هذه الأحاديث حسبة"

I saw that the people had turned away from the Qur'ān and occupied themselves with the *fiqh* of Abu Hanifah and the *maghazi* of Muhammad ibn Ishaq, so I forged these *ahadīth* seeking reward in the Hereafter.'

These are a selection of the types of rejected *ahadīth* but they are not all the possible types that could be mentioned. There are many types of rejected *ahadīth* for which mentioning a part is suffient as a principle by which the acceptable and rejected *hadīth* is known. A *hadīth* is not rejected because it does not meet the conditions for the catagory of *Sahih* as long as its *sanad*, transmitters and *matn* are acceptable i.e, when it is *hasan* since the narrators are of lesser reliability than the narrators of the *Sahih hadīth* or if there was a *mustur* (a transmitter whose record is apparently blameless) or he had a bad memory or it has been strengthend by a *qarina* (indication) or its acceptance is prepodentarent such as when it is strengthend by another narrator agreeing with it or there is a witness i.e by a narrator who is assumed to be isolated or by another *Hadith*. One should not be overstrict in rejecting a *hadīth* as long as it is possible to accept it according to the requirements of the *sanad*, tarnsmitters and *matn*. Especially when the majority of the *'Ulamā* have accepted it and the *fuqaha* have generally used it, then it is worthy to be accepted even if it did not meet the conditions of the *Sahih* because it comes under the *hasan*. Just as one should not be overstrict in rejecting a *hadīth* at the same time it is not allowed to be negligent with respect to the *hadīth*, accepting the *hadīth* which is rejected due to the *sanad*, transmitter or *matn*.

The *Mursal Hadīth*

The *mursal hadīth* is the *hadīth* from which the *Sahābi* has been omitted. Such as when the *Tabi'*says that the Messenger of Allah ﷺ said or did such and such a thing, or such and such thing was done in his presence. An example would be the *hadīth* of a *tabi'i* who has met a number of companions and has sat down to learn from them like 'Ubayd Allah ibn 'Iddi ibn al-khayyar, Sa'id ibn al-Musayyab and their likes when they say (directly) that:

"قال رسول الله ﷺ "

'The messenger of Allah ﷺ said '

It is well known that all of the *Tabi'een* are treated equally i.e, what the *tabi'i* narrated about the Prophet ﷺ without mentioning the *Sahabah*. There is no difference between the senior or junior *tabi'i* because it is well known that they are treated equally. The *muhaddithin*, scholars of *usul* (*usuliyyin*) and the imams have differed over the use of the *mursal hadīth* as proof. There were those who did not use it and considered it to be rejected like the *munqati' hadīth* and there were those who did accept its use. Those who do not accept it reject it for a reason, which is that a transmitter who is not known has been omitted from the *isnād* who might not be trustworthy. The consideration in narration is reliability and certainty, an unknown transmitter is not a proof. This is the reason for rejecting the *mursal ahadīth*. The reason is correct and the rejection of a *hadīth* according to it is correct but it does not apply to the *mursal hadīth* because the transmitter who has been omitted is a *Sahābi*. Even though he is not known in terms of his identity but he is known as a *Sahābi*. And the *Sahabah* are all trustworthy (*'udul*). They cannot be unreliable. Rather, they are definitely trustworthy. Thus, the reason by which they reject the *hadīth* does not apply to the *mursal* and nor is there any other reason to reject it and since he fulfils the conditions of the *matn*, *sanad* and transmittor, no harm is done by omitting the *Sahābi* as long as it is known that he is a *Sahābi* and so he is trustworthy. This indicates that the *mursal hadīth* is a proof and should be educed as an evidence. It might be said that the reason is that there is a possibility that a *tabi'i* narrated from a *tabi'i* like himself who narrated from the *Sahabah*. The ommision of a *Sahābi* does not mean the ommision of only one narrator. But the break in the chain means that it is possible that two narrators have been omitted, one of them satisfies the condition of integrity, which is the *Sahābi* and the case of the other narrator is dubious, who is a *tabi'i*. There is a possibility in the *hadīth* of a *jarh* (invalidation) or lack of accuracy (*dabt*) and therefore it is rejected. Such a thing might be said. The response is that the definition of the *mursal hadīth* is that:

'ما رواه التابعي عن النبي ﷺ بدون ذكر الصحابي'

It is a report narrated by a *tabi'i* from the Prophet ﷺ without mentioning the *Sahābi*'.

The narration of a *Tabi'* from a *Tabi'* who is not known does not come under this definition. Even if we accept this illustration i.e the possibility of the *Tabi'i's* ommision without mentioning the *Sahābi*, the possibility of his ommision is by way of suspicion. Rather it is a suspicion which does not reach the level of possibility. Because he suspects the *tabi'i* of narrating from another *tabi'i* who he did not mention and nor did he mention the *Sahābi* i.e, he assumes that a *Tabi'i* has been ommited. There is no evidence for this hypothetical assumption. It is merely a suspicion. A suspicion has no value and the *hukm* (value) of *hadīth* is not based on it. It should not be said that an unknown narrator (*majhul*) has transmitted it since the narration is not predicated on anything such that it can be said that the narrator is a *majhul* (unknown). Therefore, the *mursal hadīth* is not considered to be from the rejected *ahadith*, rather it is accepted and used as proof.

The *Ḥadīth Qudsi*

The *Hadīth Qudsi* is what has been transmitted to us as Isolated (*Ahaad*) reports about him ﷺ with its *isnād* going back to his Lord ﷻ. It is His ﷻ speech for it is attributed to Him ﷻ which is present in the majority of cases. The attribution to Him ﷻ then is an attribution of origination because he is the one who spoke it first. It is attributed to the Prophet ﷺ because he is the one informing about Allah ﷻ which is contrary to the Qur'ān which is attributed to no one except to Him ﷻ. So it is said:

﴿قال الله تعالى﴾

"Allah ﷻ said"

And in the *hadīth qudsi* it is said:

﴿قال رسول الله ﷺ فيما يرويه عن ربه﴾

'The Messenger of Allah ﷺ narrates from his Lord'.

The narrator of the *hadīth qudsi* has two characteristics, first is that he may say:

﴿قال رسول الله ﷺ فيما يرويه عن ربه﴾

"The Messneger of Allah ﷺ said about what he narrated from his Lord"

Secondly, he may say:

﴿قال الله تعالى فيما رواه عنه رسول الله ﷺ﴾

"Allah ﷻ said concerning that which the Messenger of Allah ﷺ narrated from Him"

They have the same meaning.

The difference between the Qur'ān and the *hadīth Qudsi* is that the wording and the meaning are from Allah ﷻ which has come via the clear revelation. As for the *hadīth Qudsi*, the wording is from the Messenger ﷺ and the meaning is from Allah through *ilham* (inspiration) or sleep. The Qur'ān's wording is a miracle revealed via the medium of *Jibreel*. The *hadīth Qudsi* is not a miracle and is without any medium. The difference between the Qur'ān, *hadīth Qudsi* and *ahadīth* which are not *ahadith Qudsi* is that the Qur'ān is the wording brough down by *Jibreel* to the Prophet ﷺ.The *hadīth Qudsi* is the meaning of notification of Allah ﷻ through *ilham* (inspiration) or sleep. So the Prophet ﷺ informed people of it with his own words. As for the rest of the *ahadīth* they are like the *hadīth Qudsi* in that the meaning is from Allah and the wording is from the Messenger ﷺ but it is not attributed to Allah ﷻ. The designation of the *hadīth* attributed to Allah ﷻ as the *hadīth Qudsi* is a terminological designation.

The inability to prove the authenticity of a *hadīth* from its *sanad* does not indicate that it is a weak *hadīth*

The strength of the *sanad* is considered a condition in accepting a *hadīth*. However it should be known that judging the *sanad* of a specific *hadith* as weak does not necessarily mean the *hadīth* is weak in itself since it might have another *isnād* though an *imam* who might state that it has not been recieved except from this line of transmission. So, whoever finds a *hadīth* with a weak *isnād*, it is more inclusive to say that it is weak with this *isnād* but the text is not judged as weak without qualification. Therefore the rejection of the *isnād* does not necessitate the rejection of the *hadīth*. However, there are *ahadīth* which are not proved from the perspective of the *isnād* but when it is received from people to people they are satisfied with its authenticity and are in no need to ask for the *isnād*. There are many examples for this, such as the *hadīth*:

﴿لا وصية لوارث﴾

"There shall be no bequest (*wasiyya*) to an heir"

[Reported by Tirmidhi & Nisai on the authority of Amr bin Kharija]

and the *hadīth*:

﴿الدية على العاقلة﴾

"The blood money (*diyya*) is for the immediate blood relatives (*'aqila*)"

[Narrated by Ibn Majah on the authority of AlMughira bin Shu'ba].

There are many other examples like this.

Consideration of the *hadīth* as an evidence in the *Sharī'ah* Rules

The evidence for the *'aqīdah* must be definite and of unquestionable authenticity. That is why the isolated report (*khabar al-ahad*) is not fit to be an evidence for *'aqīdah* even if it is a sound *hadīth* (*hadīth Sahih*) in its meaning and transmission. As for the *Sharī'ah* rule, it suffices for its evidence to be speculative (*zanni*). Therefore, just as the *mutawatir hadīth* suffices as an evidence for the *Sharī'ah* rule, likewise the isolated report (*khabar al-ahad*) suffices as an evidence for the *Sharī'ah* rule. However, the *khabar al-ahad* which is suitable to be an evidence for the *Sharī'ah* rule is the *hadīth Sahih* and *hadīth hasan*. As for the weak *hadīth* (*hadīth da'eef*) it cannot serve as a *Sharī'ah* evidence at all. Anyone who educes it he will not be considered to have educed a *Sharī'ah* evidence. However the consideration of a *hadīth* as *Sahih* (sound) or *hasan* (good) is according to the one who educes it, if he is qualified to understand the *hadīth*, which may not be so for the rest of the *muhadithin*. That is because there are transmitters who are trustworthy (*thiqa*) for some *muhadithin* but not so for some other *muhaddithin*, or are considered to be from the obscure (*majhul*) for some *muhaddithin* and well known for others. There are *ahadīth* which are not sound from one line of transmission but are from another and there are lines of transmission which are correct for some but not for others. And there are *ahadīth* which are not recognised by some *muhaddithin* and are impugned by them but they are recognised by other *muhaddithin* who advance them as proof. And there are *ahadīth* which some of the *Ahl al-hadīth* discredited but *fuqaha* in general accepted them and used then a proof. People's adherence to the consideration of a *hadīth* as *Sahih* or *hasan* according to a particular opinion or all of the opinions constitutes an incorrect adherence and contradicts the reality of the *hadīth*. Nor is it allowed to hastily accept a *hadīth* without due consideration to its authenticity, likewise it is not allowed to hastily discredit a *hadīth* and reject it merely because one of the *muhaddithin* has questioned the probity of a transmitter due to the possibility that it might be acceptable with another transmitter. And one should not reject a *hadīth* purely because one *muhaddith* has rejected it because of the possibility that it might be accepted by another *muhaddith* or reject it because the *muhaddithin* (in general) have rejected it because of the possibility that it might have been used as proof by the *imams* and general body of *fuqaha* (jurists). One should not be rash in discrediting or rejecting a *hadīth* except if its transmitter is known by all to be disparaged or the *hadīth* is rejected by everyone or no one advanced it as a proof except some of the *fuqaha* who lacked knowledge of the *hadīth*. It is then that the *hadīth* is discredited and rejected. One should be careful and give it thought before one calls a *hadīth* into question or reject it. Anyone who scrutinises the transmitters and and *ahadīth* he will find many differences regarding them between the *muhaddithin*. And the examples are many. For example: Abu Dawud narrated on the authority of 'Amr ibn Shu'ayb who narrated from his father, who narrated from his grandfather that the Messenger of Allah ﷺ said:

﴿المؤمنون تتكافأ دماؤهم، ويسعى بذمتهم أدناهم، ويجير عليهم أقصاهم، وهم يد على من سواهم، يرد مشدهم على مضعفهم، ومتسريهم على قاعدهم﴾

"Muslims are equal in respect of blood. The lowest of them is entitled to give protection on behalf of them, and the one residing far away may give protection on behalf of them. They are like one hand over against all those who are outside the community. Those who have quick mounts should return to those who have slow mounts, and those who got out along with a detachment (should return) to those who are stationed".

The transmitter of this *hadīth* is 'Amr ibn Shu'ayb and 'Amr ibn Shu'ayb narrated from his father and from his grandfather line of transmission is famous. Despite that many have used his *hadīth* as proof and others have rejected it. Tirmidhi said: Muhammad ibn Isma'il said: I saw Ahmad and Ishaq (and he mentioned others) who used the *hadīth* of 'Amr ibn Shu'ayb as proof. He said:

'Amr ibn Shu'ayb heard *ahadīth* from 'Abd Allah ibn 'Umar. Abu 'Isa said: whoever spoke about the *hadīth* of 'Amr ibn Shu'ayb branded him as weak because he used to quote *ahadīth* from his grandfathers books as if they considered him not to have heard these *ahadīth* directly from his grandfather. 'Ali ibn Abi 'Abd Allah al-Madini said that Yahya ibn Sa'id said: The *hadīth* of 'Amr ibn Shu'ayb for us is unfounded. Despite this, if someone establishes a *Sharī'ah* rule with the *hadīth* of'Amr ibn Shu'ayb, his evidence will be considered a *Sharī'ah* evidence because 'Amr ibn Shu'ayb is one of those people whose *hadīth* the *muhaddithin* cite as an evidence. For example, in al-Darqutni, al-*Hasan* narrated on the authority of 'Ubada and Anas ibn Malik that the Prophet ﷺ said:

﴿ما وزن مثل بمثل إذا كان نوعاً واحداً وما كيل فمثل ذلك فإذا اختلف النوعان فلا بأس به﴾

'Whatever is weighed is exchanged equally if it is of the same type, and whatever is measured is exchanged likewise (similarly) if it was of the same type. If the types differed then there is no harm (if not equal in exhange)'

In the *isnād* of this *hadīth* there is al-Rabi' ibn Subayh, Abu Zur'a has verified him as trustworthy but another group has weakened him. Al-Bazzar has recorded this *hadīth* also and it is considered as a sound (*Sahih*) *hadīth*. When someone educes this *hadīth* or a *hadīth* whose *isnād* contains al-Rabi' ibn Subayh, then he has educed a *Sharī'ah* evidence because this *hadīth* is sound according to one group (of *rijal* scholars), and because al-Rabi' is trustworthy (*thiqa*) for another group (of *rijal* critics). It should not be said here that when a person is declared trustworthy and also disparaged that the invalidation (*jarh*) takes precedence over the attestation of reliabilitiess since that can only be when they are reported about one person according to the view of one person. As for when they are reported by two persons and one considers it as an impugnation (*ta'n*) and the other does not, then it is allowed. It is from here that some scholars have recognised certain transmitters (as reliable) and others have not.

For example: Abu Dawud, Ahmad, al-Nasa'i, Ibn Maja and al-Tirmidhi narrated on the authority of Abu Hurairah that:

﴿سأل رجل رسول الله ﷺ فقال يا رسول الله. انا نركب البحر ونحمل معنا القليل من الماء فإن توضأنا به عطشنا أفنتوضأ بماء البحر؟ فقال: هو الطهور ماؤه الحل ميتته﴾

"A man asked the Messenger of Allah ﷺ: O Messenger of Allah, we travel on the sea and take a small quantity of water with us. If we use this for ablution, we would suffer from thirst. Can we perform ablution with sea water? The Messenger ﷺ replied: Its water is pure and what dies in it is lawful food".

Tirmidhi has reported that Bukhari verified the soundness of this *hadīth* and Ibn 'Abd al-Barr judged it as sound because the *'Ulamā* have accepted it and it has been authenticated by Ibn al-Munzir. Ibn al-Asir said in the *Sharh* al-Musnad: This *hadīth* is *Sahih* and *mashhur*, the *imams* recorded it in their books. They used it as proof, its transmitters are trustworthy. Shafi'i said that there is a transmitter in the *isnād* (chain) of this *hadīth* 'whom I do not know'. Ibn Daqiq al-'Ayyid mentioned the aspects of justification by which he justifies this *hadīth*. One of them is the lack of knowledge surrounding Sa'id ibn Salama and al-Mughira ibn Abi Burda, both of whom are mentioned in the *isnād*, whereas some *muhaddithin* have said these two transmitters are indeed known. Abu Dawud said al-Mughira is known and his reliability is attested by al-Nasa'i. Ibn 'Abd al-Hakam said the people of Africa gathered around him (al-Mughira) after the murder of yazid bin Abi Muslim and said that he is unknown. Al-Hafiz said: it should be known from this mistake that the one who assumed that he (i.e AlMughira) is *Majhul* is not correct. As for Sa'id bin Salama, Safwan bin Salim followed him in his narration from al-Julah bin Kathir. So if anybody used this *hadith* as an evidence or he used the report of al-Mughira and Said as a proof

then he would have used a *Shar'i* evidence. This is because this *Hadith* is considered valid and these two transmitters are considered reliable in view of some *Muhaddithin.*

For example: Ahmad narrated that Sa'ad ibn Abi Waqqas said:

﴿سمعت النبي ﷺ يسأل عن اشتراء التمر بالرطب فقال لمن حوله أينقص الرطب إذا ييس؟ قالوا نعم، فنهى عن ذلك﴾

"I heard the Prophet ﷺ being asked about the purchase of ripe dates. He asked the people who pick them: Do ripe dates loose weight if they become dry? They said: yes. So he forbade that"

This *hadīth* has been authenticated by al-Tirmidhi and a group of people impugned it, from them are Tahawi, Tabari, Ibn Hazm and Abdul Haqq because in its isnad there is Zayd abu 'Ayaash and he is *Majhul.* It is said in '*at-talkhees wal jawab'* that Darqutni said that he is trustworthy (i.e Zayd abu 'ayaash) and Munziri said, two trustworthy people have narrated from him and Malik relied on him despite the severe criticism. So if some one takes this *Hadith* as a *Shari'ah* evidence or takes as an evidence a *hadith* which has Zayd Abu 'Ayaash, then he would have educed from a *Shari'* evidence.

For example: Ahmad & Abu Dawud narrated that Abu Sa'id al-Khudri said: I heard the Messenger of Allah ﷺ say:

﴿لا يخرج الرجلان يضربان الغائط كاشفين عورتهما يتحدثان فإن الله يمقت على ذلك﴾

"When two persons go together for relieving themselves uncovering their private parts and talking together, Allah's, the Great and Majestic, becomes wrath falls at this (action)"

This *hadith* has 'Ikrima 'Amaar al'Ajaily , Muslim has accepted it in his *Sahih* (i.e *Sahih* Muslim), although some of the *Huffaz* have weakened the *ahadith* of 'Ikrima who narrated from Yahya ibn Kathir whereas Muslim reported *ahadith* on the authority of Yahya and Bukhari also witnessed it. Therefore, if someone educed a rule from this *hadith* or from a *hadith* which has 'Ikrima then he would have educed from a *Shari'* evidence despite the existence of impugnation of the *hadith* and that of 'Ikrima.

For example: Ahmad, Abu Dawud, al-Nasa'i, Ibn Maja and al-Tirmidhi narrated on the authority of Yusra bint Safwan that the Prophet ﷺ said:

﴿من مس ذكره فلا يصلي حتى يتوضأ﴾

"Whosoever touches his sexual organ/genitalia he should not pray until he makes wudu (ablution)"

This *hadīth* has been recorded by Malik, al-Shafi'i, Ibn Khuzayma, Ibn Hayyan, al-Hakim and Ibn al-Jarud. Abu dawud said: I said to Ahmad: the *hadīth* of Busra is not sound. He said: No, it is sound. Bayhaqi said: Even though the *shaykhayn* (i.e, two *Shaykhs*, Bukhari and Muslim) did not record this *hadīth* due to disagreements about whether the *sama'* (hearing of *hadīth*) took place from 'Urwa or Marwan but they have used all of its transmitters (elsewhere as reliable transmitters). If someone uses this *hadīth* as proof, it is *Sharī'ah* evidence even if Bukhari and Muslim did not record it. If a *hadīth* is not advanced as proof by Bukhari and Muslim then that does not amount as a denigration of the *hadīth.*

For example: The *hadīth*:

﴿حرمت الخمر لعينها﴾

"Khamar has been forbidden for itself" [Reported by Nisai]

and the *hadīth*

﴿أصحابي كالنجوم بأيهم اقتديتم اهتديتم﴾

"My companions are like the stars, whichever you follow you will be guided" [Reported by Rizzin]

The general body of *fuqaha* have used both the *ahadīth* and some have contested their authenticity. If one of them used these as proof then he is considered to have educed a *Sharī'ah* evidence.

Thus many of the differences in *hadīth*, transmitters and the lines of transmission between *muhaddithin* becomes clear. Many disagreements between *muhaddthin*, the general *fuqaha* and certain *mujtahidin* do take place. When a *hadīth* is rejected due to this disagreement then many *ahadīth* considered to be *Sahih* or *hasan* have been rejected. And many *Sharī'ah* evidences are eliminated and this is not allowed. This is why a *hadīth* should not be rejected except for the correct reason, which might be recognised by the majority of the *muhaddithin* or it might not satisfy the necessary conditions for the *Sahih* and *hasan hadīth*. It is permitted to educe a *hadīth* when it is recognised by some of the *muhaddithin* and it fulfils the conditions of the *hadīth Sahih* and *hasan*. It is considered as a *Sharī'ah* evidence and the extracted *hukm* is a *Sharī'ah* rule.

Prophetic Biography *(Sīrah)* and History

The first and foremost thing that was given priority in the Islamic history was the *Sīrah* of the Prophet ﷺ and the subsequent military campaigns (*maghazi*) that followed. For this, reliance was placed on *ahadīth* narrated by the *Sahabah*, *Tabi'een* and those who came after them concerning the life of the Prophet ﷺ; from his birth, his early life, and his Call to Islam to the *Jihad* and military expeditions against the *Mushrikin* and his conquests. In short, reports concerning the Prophet ﷺ from his birth till his death.

The history of the Prophet's life ﷺ was a part of the reported *ahadīth*. Such *ahadīth* used to be miscellaneous in the days when the *Muhaddith* would compile all the reports that reached him and learn them without any order or arrangement. When *ahadīth* came to be arranged according to chapters, the military campaigns were brought together in separate chapters. These then became separated from the *hadīth* and specific books were written on them although the *muhaddithin* continued to include them within their chapters. So, in Bukhari there is the Book of Military Expeditions (*kitab al-Maghazi*) and in Muslim the Book of Jihad and Military Campaigns (*kitab al-jihad wa al-siyar*).

Though many have written about the *Sīrah*, the first book that is existent from amongst the early compilers is the *kitab al-Maghazi* of Ibn Ishaq. Its author, Muhammad ibn Ishaq ibn Yassaar (d.153 A.H.) is considered the most well known of the ones who were associated with the *maghazi*, to the extent that Shafi'i is reported to have said: ' Whosoever wishes to be an expert in the *maghazi*, he should depend on Muhammad ibn Ishaq'. After Ibn Ishaq, the second early author is al-Waqidi. Muhammad ibn 'Umar ibn Waqid al-Waqidi (d.209 A.H.) was considered to have an extensive knowledge of the *maghazi* which approximated to that of Ibn Ishaq. He was very knowledgable in history and *hadīth* though it is reported about him that in later years he began to get his reports muddled. That is why many *muhaddithin* have branded him as weak, Bukhari says of him: ' His *ahadīth* are to be rejected (*munkar* al-*hadīth*)'. However they did not impugn the depth of his knowledge concerning the *maghazi*. Thus, Ahmad ibn Hanbal says about him: 'He is well-informed about the *maghazi*'. He has compiled a book on *maghazi* from which Ibn Saa'd quotes in his book *al-Tabaqat* (The Generations) in his discussion of the Sīrah. Likewise, Tabari also quotes from it. Two of the most famous compilers of the Sīrah are Ibn Hisham (d.218 A.H.) and Muhammad ibn Sa'ad (d.230 A.H.).

To this day Muslims have continued to devote their attention to the *Sīrah*. The *Sīrah* is considered one of the most important things to which Muslims should pay careful attention because it contains reports concerning the Messenger ﷺ in terms of his actions, sayings, silence and description; like the Qur'ān all of it is legislation. Therefore the *Sīrah* is one of the constituent elements of legislation and that is why it is considered part of the *hadīth* (literature). Whatever is proven to be authentic from it concerning the Prophet ﷺ, in terms of its transmission and meaning, it is considered as a *Shari'ah* evidence because it is from the Sunnah, not to speak of the fact that we are commanded by Allah ﷻ to emulate the Messenger ﷺ. Allah ﷻ said:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

"Indeed in the Messenger of Allah (saw) you have a good example"

[TMQ Ahzaab: 21]

Therefore, devoting ones attention to the *Sīrah* and its pursuance is a *Sharī'ah* matter. However, the difference between the method employed in compiling the *Sīrah* by the ancients and those who came in later periods is that: the method of the ancients in compilation of the *Sīrah* and history used to depend on the narration of reports. The historians started with the oral transmission; the first generation which witnessed the actions of the Messenger ﷺ or heard about it and transmitted it began to transmit it to others, the burden of which was assumed by the generation that came after. And some of them wrote down *ahadīth* in a miscellaneous manner which can be seen in the books of *hadīth* even today. Not till the advent of the second century (*Hijri*) do we find some scholars beginning to compile and put together the biographical reports and put them down in writing according to the method of narration, by mentioning the name of the transmitter and the one who transmitted from him, exactly as it was done in the (transmission) of *hadīth*. Thus, *hadīth* scholars and critics are able to know the authentic and acceptable biographical reports from the weak and inadmissible ones due to their knowledge of the transmitters and the chain of transmission. And this is the procedure which is relied upon when quoting from the *Sīrah*, as long as it is authentic, contrary to the modern authors of the *Sīrah* who only enumerate events without mentioning their transmitters. That is why their books are not relied upon as a source of *Sīrah* except when the author verifies at the time of writing that the transmitted reports are indeed from the *Sīrah* reports and are trustworthy. If he does not then his statement is not quoted but the event which he mentions is traced back to the books of *Sīrah* which have been transmitted according to the method of narration or to the books of *hadīth*. This is because reports concerning the Prophet ﷺ from the Sunnah are not taken except when they are authentic.

There is another area the historians have attended to, in addition to their approach to the *Sīrah* and that is the historiography of the Islamic events in relation to wars between some Muslims and wars between the Muslims and other nations and the subsequent conquests and events that followed. A group of historians became well known (for this approach), the foremost amongst them being Abu Mikhnaf Lut ibn Yahya ibn Sa'id ibn Mikhnaf ibn Salim al-Izdi (d.170A.H.). Some of the most famous books written by him are; The Conquest of al-Sham (*futuh As-Sham*), Conquest of Iraq (*Futuh Al-Iraq*), al-Jamal, Siffin and the murder of Hussayn Maqtal Al-Hussayn). It is apparent that each book is a commentary on a particular issue. Nothing remains from the books that have been correctly attributed to him except that which Tabari has transmitted in his *Tarikh* (history). Many *muhaddithin* have discredited him by saying that he used to narrate from a group of unknown transmitters (*majhulin*).

Among the famous historians is al-Mada'ini. He is 'Ali ibn Muhammad al-Mada'ini (d.225 A.H.), a prolific author. He wrote books concerning reports about the Prophet ﷺ and Quraysh. He also wrote books about reports concerning women and about the *Khulafa*. Tha'lab al-Nahawi described him thus: 'Whosoever wishes to know the reports concerning the Days of Ignorance he should consult the books of Abu 'Ubayda, and whosoever wishes to know about the reports concerning Islam let him consult the books of al-Mada'ini'. Also, the *muhaddithin* have not questioned his probity. Yahya ibn Ma'in, one of the most famous *rijal* critics says he is trustworthy (*thiqa*).

The writing of history began much in a similar way as the *Sīrah*, with oral reports; the first generation which witnessed and participated in the events began to transmit (the reports to the next), the burden of which was assumed by the following generation until the events came to be written down. Historians proceeded in Islamic history exactly as they did with the *Sīrah* in terms of the narration of reports. Thus, you will find in the old books of history such as Tabari for example that an event is reported on the authority of such and such a person, sometimes from varying lines of transmission because their method of writing history was by narration only.

There is another approach which emerged amongst Muslims since the earliest times and that is the historiography of other nations such as the Persians and Romans and the historiography of other religions like the Jews and Christians. However, this form of history writing was less accurate in (comparison) to the *Sīrah* and the history of Islamic events and this is because historians used to rely on transmitters from the people of other nations. This section of history came to be filled with legends due to the remoteness of the period of the transmitters (from the events) and due to the inaccuracy in transmission and because every nation tended to inflate its reports.

In short, Muslims did not have a criterion for (judging) history, whether the Islamic history or the history of other people, even though they employed the correct method in writing history; that is the narration of a report from the one who witnessed it or narration of a book on the authority of the one who narrated the report from the one who witnessed it. However in writing the history of other nations they relied on weak reports and so it became filled with stories and legends. And in the history of Islam they did not carefully scrutinise the transmitters in the *Sīrah* and *hadīth* but restricted themselves to reports about the *Khulafa* and *Walis* and did not give attention to reports about the society and conditions of people.

This is why Islamic history does not present a complete picture of the society or state. This can only be obtained from the *Sīrah* after it has been checked and from the *hadīth* works in which reports concerning the Companions and Successors have been narrated. In fact, Islamic history is in need of a re-examination of the events founds in the books of history by scrutinising the transmitters who narrated them and their lines of transmission and by scrutinising and judging the same events in the light of (known) facts and accounts. However, what took place after the time of the Companions is of no importance. As for what originated from the Companions; that is the subject of study, because the *ijma'* of the Companions is a *Sharī'ah* evidence and because there are many newly adopted rules (*ahkām*) for the ever-emerging new (problems) of life, problems which were solved by the Companions and must be understood from a legislative perspective. Thus, the history of the Companions is one of the constituent elements of legislation. Indeed, many issues relating to *Jihad*, treatment of non-Muslims (*Ahl al-Dhimma*), *Kharaj*, *'Ushr*, knowledge of whether a land is *'Ushri* or *Kharaji* i.e, whether it was conquered by way of a treaty or force and issues relating to asylum (*al-Aman*), armistice (*hudna*) and rules pertaining to booty, *fai'* and provisions for the army...etc, all of these are incidents and rules which were applied in the state. They must be understood in order to take as *Sharī'ah* evidence that which the Companions agreed upon and to consider that which a Companion adopted alone as a *Sharī'ah* rule of one of the *mujtahidin* and as well to become acquainted with the actions of the Companions, especially the Rightly Guided Caliphs, in terms of their handling and management of ruling, administration and policy. This is because they are the best of those to whom Allah ﷻ has granted the mentality of ruling and they understood best how to apply the rules in the state, on the citizens (of the state), be it the Muslims or *dhimmis*. For this reason we are obliged to know the history of the Islamic State during the period of the Companions (though) there is no harm in gaining knowledge of its authentic history after that (period). Muslims have (at their disposal) sources for reports about the Companions other than the history books ; books such as the *al-Amwal* (The Treasury) of Abu 'Ubayd, the *Muwatta* of Malik and books of *hadīth* which narrate *Sahih* (correct) and *hasan* (good) reports.

As for the history of other than the Companions there is no harm in knowing it simply as reports and information, but not to emulate them or to take lessons from what was mentioned in them. Yes, the Qur'ān does relate the history of some of the (previous) Prophets and people for the sake of exhortation with regards to belief, to obey Allah ﷻ and to clarify the fate of those who disobey Him ﷻ but not so that we can take their reports and actions as a method according to which we should proceed. It is a common mistake that many people make when they assume that history is of utmost importance for the revival of nations and that knowledge of the past

throws light on the present and opens the way to the future. This is fanciful and insane. It is an analogy of the perceptible reality by the imperceptible unknown and an analogy of the definite and indisputable (reality) which we observe, by the speculative (reality) which we are informed of, which may be right or wrong, true or false.

In fact, it is not possible to take history as a basis for revival not even as a basis for a study. Only the reality which we wish to treat is made the object of study because it is perceptible and tangible and so it is studied until it is understood, then a solution is given for it, either from the *Shari'ah* if it relates to the *Shari'ah* rules or from the requirements of that reality pertaining to the solution if it is from the means and styles. It is of little benefit for a Muslim to involve himself with reports about Bismarck or even Harun al-Rashid rather he should preoccupy himself with the Islamic *Shari'ah* as (a body of) thoughts and rules and also with the real and practical life from the viewpoint of elevating the situation of Islam and Muslims and taking every opportunity to propagate Islam and carry its call to the world. And since we must study reports about people, let us study the present societies in order to treat them, or study about other nations so as to determine our position with regards to them, as we are in a state of constant struggle in the path of propagating Islam and carrying its call to those nations.

The Principles of Islamic Jurisprudence (*Usūl al-Fiqh*)

Shafi'i is considered to be the one who delineated the principles of deduction (*usul al-istinbat*) and regulated it with general comprehensive principles. Thus, he was the originator of the science of *usul al-fiqh* (principles of jurisprudence), even though many people came after him who were more knowledgeable about *usul al-fiqh* and its definitions. The *Fuqaha* (jurists) before al-Shafi'i used to perform *Ijtihād* without having defined parameters for *Ijtihād,* rather they used to depend on their understanding of the *Shari'ah* meanings and purpose of the *ahkām*, their aims, whatever its texts point to and whatever its objectives (*maqasid*) indicated. Due to the experience of those *Fuqaha* (jurists) in their study of the *Shari'ah* and their thorough familiarity with the Arabic language, it allowed them to be acquainted with their meanings and to comprehend their aims (*ghayat*) and objectives (*maqasid*). They used to reconcile its concepts and objectives in deducing rules from the texts without having any recorded defined parameters. Yes, the *Fuqaha* before al-Shafi'i, from the time of *Sahabah*, *Tabi'in* and those after them used to deal with issues of *usul al-fiqh* and educe and oppose (evidences). Such as the narration about 'Ali b' Abi Talib ﷺ that he spoke about the *mutlaq* (absolute), *muqayyad* (restricted), *khas* (specific), '*aamm* (general), *nasikh* (abrogator) and the *mansukh* (abrogated). However, that was not in a defined or set out manner. And those *Fuqaha* who dealt with certain issues of *usul al-fiqh* did not possess general and comprehensive principles to which they referred in order to understand the indication of the *Shari'ah* or to know how to oppose or outweigh them. But when al-Shafi'i came he derived the science of *usul al-fiqh* and he laid down comprehensive laws to which reference was made in knowing the levels of the *Shari'ah* evidences. It has become widely known to people that al-Shafi'i set out the science of *usul* in his book entitled *al-Risala*, a work which is famous. But the reality is that the *al-Risala* contains only a portion of the science of *usul* outlined by al-Shafi'i. Anyone who examines the books of al-Shafi'i will find that *al-Risala* contains only some of the topics in the science of *usul al-fiqh* and it does not contain all of Shafi'i's discussions on *usul*. Shafi'i has other books which contain discussions (on *usul*) such as The Book of the Refutation of *Istihsan* and the book *Jamma' al-'ilm*. Even the book *al-Umm* within its pages there are discussion on the science of *usul*. In these he has mentioned comprehensive principles amidst the detailed rules.

What helped al-Shafi'i to lay down the science of *usul* was that he came at a time when Islamic jurisprudence had started to greatly flourish. In the Islamic lands juristical groups of *mujtahidin* began to take shape and they began to form into *mazhabs* (schools). The debate between the *Mujtahidin* and the proponents of *mazahibs* took various perspectives in *fiqh* and the evidences. So he plunged into debates with those who engaged in the debate, these discussions were what guided him to think about general and comprehensive principles as regulatory criterions which should be the basis of study and inference. He brought together these principles as one body of knowledge which was the science of *usul al-fiqh*. The impressive thing about the *usul* of al-Shafi'i is that he proceeds in the discussion of *usul* in a legislative and not in a logical manner. One of the greatest dangers for study, in fact for the *Ummah*'s revival especially in *fiqh* and *usul* is the path of logic. *Al*-Shafi'i clearly distanced himself from the course of logic and adhered to the legislative course. He was not interested in theoretical methods or suppositions. He wanted to regulate real and existing issues i.e, he took the *Shari'ah* texts and stopped at the limit of the text and at the limit of the reality which the text indicated and the people themselves witnessed. Regarding the issue of abrogation (*nasikh wal mansukh*), he established the principles of abrogation from the issues which, for him, had been proven to contain abrogations, taken from what has been mentioned in the *ayah* or *hadīth* itself, or from the indication (*dalala*) of abrogation, or what has been narrated about the Messenger ﷺ in terms of *hadīth* which indicate abrogation or whatever has been reported about the Companions of the Messenger of Allah ﷺ in terms of

reports and judgements. Not like many who came after him when they saw a contradiction between two verses or *ahadith* they immediately moved to say that one has abrogated the other, to the extent that they ended up making terrible blunders. When al-Shafi'i came with a principle he did not bring it from a logical premise (*muqaddima mantiqiyya*) rather he showed the sources from which he took it, either from a report about the Prophet ﷺ or from legal verdicts (*fatwas*) of the *Sahabah*. His approach in deriving regulatory (*qawa'd dabita*) principles was a practical one in which he relied on the reality, the evidences, and on the application of those things on tangible facts. The most prominent aspect by which Shafi'is *usul* is distinguished is that it contains general principles for the deduction (*istinbat*) of rules, regardless of what his specific methodology was. Rather, his *usul* is suitable for any methodology however different it may be. Thus, it is a measure by which one can know which opinions are correct and which are not correct. It is a comprehensive law which must be adhered to when deducing new rules, whatever methodology a person may set himself, in order to judge opinions and regulate the inference of rules by a comprehensive law. The *usul* of al-Shafi'i was not intended to be an *usul* for his *mazhab* (school) only, even though the *mazhab* adhered to it. It was not written to defend his *mazhab* and clarify its viewpoint. Rather, it contains general and comprehensive principles for *istinbat* (inference). The motive was not a trend towards a particular *mazhab* but rather it was a desire to regulate the procedures of *Ijtihād* and put in place limits and guidelines for the *mujtahidin*. He was sincere in his intentions and he had the correct understanding when devising the science of *usul al-fiqh*, thereby influencing, without exception, those *mujtahidin* and *'Ulamā* that came after al-Shafi'i, whether they opposed or supported his opinions. Until, despite their different tendencies, they saw themselves proceeding according to the path al-Shafi'i had taken, in terms of setting out comprehensive principles (*qawa'id kulliyya*) and proceeding in *fiqh* and *istinbat* (inference) in a regulated manner according to comprehensive laws and general principles. *Fiqh* (Islamic jurisprudence) after him came to be based on established foundations not as an assortment of *fatwas* and individual judgements (*aqdiya*) as was the case before him. Even though all of the *'Ulamā* proceed in the footsteps of al-Shafi'i in terms of the notion of *usul al-fiqh*, however the way in which they received what al-Shafi' had arrived at was different according to their different juristic approaches. Some followed his opinions and began to explain and expand on them and disagree with them, like the followers of al-Shafi'i himself. And some took the major part of what al-Shafi'i had brought despite their disagreement with certain details of *usul* and but not the actual body of *usul*. Since they had no disagreements in terms of the body, framework and course of al-Shafi'is *usul*, like the *Hanafis* and those who followed their method. And there were those who disagreed with al-Shafi'i in this *usul*, like the *Zahiris* and *Shi'a*. Those who followed al-Shafi'i in his opinions were the *Hanbalis*. They adopted the *usul* of al-Shafi'i even though they said the only (recognised) *ijma'* (consensus) is that of the *Sahabah*. The *Malikis* who came after al-Shafi'i combined their methodology with much of what was in al-Shafi'i's *usul* though they took the practise of the people of Madina as a proof and differed with him in certain details. As for those who proceeded according to his method and embraced his opinions they are the followers of his *mazhab* who were very active in the (study of) the science of *usul al-fiqh* and wrote prolifically about the subject. Books were written according to the methodology of al-Shafi'i in *usul al-fiqh* which were, and still are, the pillars and support of this science. Of the most important three books that are known to be written by the ancients: First, the book al-*Mu'tamad* of Abu al-Husayn Muhammad ibn al-Basri (d.413 A.H.), Second, the book *al-Burhan* of 'Abd al-Malik ibn' Abd Allah al-Juwayni commonly known as imam *al-Harāmayn* (d.478 A.H.) and third, the book *al-Mustasfa* of Abu Hamid al-Ghazali (d.505 A.H). After them came Abu al-Husayn 'Ali otherwise known as al-Amidi. He brought together all three books and expanded on them in his book *al-ihkam fi usul al-ahkām*, which was one of the most important works written on *usul al-fiqh*, as for those who adopted the major part of what al-Shafi'i brought and differed in some of the details, they are the *Hanafis*. That is because their method of *istinbat* (inference) agreed with the usul of al-Shafi'i though the way in which they approached the science of *usul* was influenced by

the *furu'* (branches of *fiqh*). They studied the principles of *usul* in order to support the *furu'*. So they made the *furu'* the basis. The general principles were based on it and made to support it. Perhaps what pushed them towards this approach was that their study of *usul* was for the purpose of supporting their *mazhab* and not in order to produce principles according to which their school should deduce rules. That is because Abu Hanifa who had preceded al-Shafi'i, died the year in which al-Shafi'i was born. And his inferences were not according to general and comprehensive principles. Likewise after him came his students Abu Yusuf, Muhammad and Zufar. They did not concern themselves with writing about *usul al-fiqh* but it fell to the scholars of the *Hanafi mazhab* afterwards to pursue the inference of principles which would serve the *furu'* of the *Hanafi mazhab,* The principles came later than the *furu'* and did not precede it. Nevertheless, the *Hanafi usul* on the whole has been extracted from the *usul* of al-Shafi'i. And what they differed on with the *Shafi'is* in terms of the '*aamm* (general) being *qat'i* (definite) like the *khas* (specific),

"لا عبرة بمفهوم الشرط والوصف"

and the consideration is not for the understanding of the condition (shart) and description (wasf),

"ولا ترجيح بكثرة الرواة"

and that there is no *tarjeeh* (outweighing) due to the great number of transmitters.

These are detailed issues and not comprehensive principles. That is why it is possible to consider the *Hanafi* and *Shafi'i usuls* as one *usul* for *fiqh*. Its approach towards the *furu'* and disagreements in certain details is not another *usul* but they are one *usul* in its comprehensivity, generality and principles. You hardly ever see any difference between a book in *shafi'i usul* and a book in *Hanafi usul*. Rather, all of them are a study of the same principles (*usul*) of fiqh. One of the most important books of *usul* for the *Hanafis* is the *usul al-Bazdawi* compiled by Fakhr al-Islam 'Ali ibn Muhammad al-Bazdawi (d.483 A.H.)

As for those who disagreed with al-Shafi'i in his usul, they are the *Zahiris* and *Shi'a*. They disagreed with al-Shafi'is *usul* in some of its basic elements and not just in the details. As for the *Zahiris*, they completely rejected *Qiyas* (analogical deduction) and depended solely on the apparent (*zahir*) (meaning) of the texts. Even what is termed as the *qiyas jali* (clear analogy) was not consider as a part of *Qiyas* but as text. Their consideration of the text is nothing other than a consideration of the apparent (*zahir*) (meaning) of the text. The *imam* of this *mazhab* is Abu Sulayman Dawud ibn Khalaf al-Isfahani (d.270 A.H.) He was from the Shafi'iyya. He learnt *fiqh* from the students of al-Shafi'i. Then he left the *mazhab* of al-Shafi'i and chose a special *mazhab* for himself where he would only rely on the text. It is called the *Zahiri mazhab* (literalists). Ibn Hazm is one of them. Certain people made him popular and gave a glowing description about him until people became interested in his books even though they were below the level of the books of *fiqh* and other *usuls* in terms of the jurisprudential discussion and angle of educing evidences. As for the *Shi'a*, they disagreed with al-Shafi'is *usul* in a significant way for they made the sayings of their *imams* a *Shari'ah dalil* like the Qur'ān and Sunnah. For them it is considered a proof which follows the proof of the Qur'ān and that of the Sunnah at the very least. They permitted the speech of the *imams* to specify the Sunnah. They say:

"إن حكمة التشريع اقتضت بيان جملة من الأحكام وكتمان جملة، ولكنه سلام الله عليه أودعها عند أوصيائه، كل وصي يعهد بها إلى الآخر لينشرها في الوقت المناسب له، حسب الحكمة، من عام مخصص أو مطلق مقيد

أو مجمل مبين إلى أمثال ذلك. فقد يذكر النبي ﷺ عاماً ويذكر مخصصه بعد برهة من حياته، وقد لا يذكره أصلاً بل يؤديه عنه وصيه"

"The wisdom (*hikma*) of legislation demands the exposition of a body of *ahkām* and requires the concealment of a body of *ahkām*. But he (Allah's peace be upon him) entrusted (the body of *ahkām* that is concealed) to his guardians (*awsiya*). Each guardian (*wasi*) delegates the other to spread it when it is appropriate for him, according to *Hikma* (wisdom), in terms of an '*aamm* (general) which is specified (*mukhassas*), a *mutlaq* (absolute) which is restricted (*muqayyad*) or a *mujmal* (ambivalent) which is clarified (*mubayyan*). So the Prophet ﷺ may mention something which is '*aamm* (general) and mentions the specific after a while in his life. Or, he may not mention it originally, rather leaving his guardian (*wasi*) to do it on his behalf".

The *Imami Shi'as* place their *Imams* in a position close to the Sunnah. *Ijtihād* for them is restricted to the *mazhab*, it is not permitted for the *mujtahid* to contradict the views of the *mazhab* i.e, it is not permitted for the *mujtahid* to make *Ijtihād* with what contradicts the sayings of the *Imam al-Sadiq*. They rejected *ahadīth* except if it came via their *imams*. They do not take *Qiyas*. It has been recurrently reported (*tawatara*) about their *imams* as they have narrated in their books that when analogy is made to the *Sharī'ah* the *deen* is destroyed.

This is the situation of the course of Muslim *'Ulamā* in the science of *usul al-fiqh* after al-Shafi'i in terms of their agreement or opposition to him. As for the science itself, after al-Shafi'i, it was discussed at great length and it had many commentators and writers. It is strange that in the ages that followed the age of al-Shafi'i, *Ijtihād* diminished and there was a scarcity of *mujtahidin* and in the ages that followed that age, the door of *Ijtihād* was closed. However, the science of *usul al-fiqh* thrived and flourished, the scrutiny of its principles increased and its issues became more elaborate. But all of this was from a theoretical and not practical perspective. As a result, it was ineffective in creating *mujtahidin* and breaking the notion of the closing of the door of *Ijtihād* and bringing it to an end. Perhaps the reason for that is that *usul al-fiqh* during those later periods took a purely theoretical approach where the theoretical discussion prevailed and studies were inserted into it that had no relationship to *usul al-fiqh*. The attention of researchers was directed to examining and revising the principles supporting them with evidences and selecting the one with the strongest evidence regardless of whether there was a reality for it or not. Their theoretical assumptions multiplied and they studied the (concept of) *dalāla* (textual implications) and classified it according to the classifications of the scholars of *mantiq* (logic). They raised discussions which had nothing to do with *usul al-fiqh* like *husn* (pretty) and *qubh* (ugly), or are they rational or legal? Or discussions such as; is thanking (*shukr*) the benefactor (*mun'im*) an obligation due to the *Sharī'ah* or the mind ? They initiated studies that were from the science of *Kalam* (scholastics) and not from *usul al-fiqh*, such as the infallibility of the Prophets, permissibility of the Prophets to make mistakes or forget in issues related to (conveying) the Message. They made studies related to the Arabic language and not to *usul al-fiqh*. They studied the origin of languages and studied particles (*huruf*) and nouns (*asma*). In that manner they made the science of *usul al-fiqh* rigid and transformed it from its legislative aspect, which produced *mujtahidin* and enriched *fiqh* into a theoretical and philosophical study in which the scholar is unable to deduce the simplest of rules, until its usefulness was almost lost and it had no effect in legislation or deduction of rules (*istinbat*) and since the science of *usul al-fiqh* is indispensable in relation to the deduction of rules and the growth of the legislative aspect, this is why it is essential to attend to the study of *usul al-fiqh* as a study which is based on reality and not theoretically. It is sufficient just to undertake studies that relate to the deduction of rules which is studied accompanied by evidences indicating the rules and realities which apply to their meanings until *mujtahidin* are produced and a legislative wealth is generated to treat new issues which come up each day in the Muslim world and in the rest of the world.

Fiqh **(Jurisprudence)**

Fiqh linguistically means understanding as in His ﷻ saying:

﴿مَا نَفْقَهُ كَثِيرًا مِمَّا تَقُولُ﴾

"*We do not comprehend (la nafqahu) much of what you say*" [TMQ Hūd: 91]

That is, we do not understand. According to the definition of the legists, *fiqh* is designated as the knowledge of a body of subsidiary (*furu'iyya*) *Sharī'ah* rules acquired through study and eduction (*istidlal*). Knowledge of the *Sharī'ah* rules (*ahkām shar'iah*) began the day these *Shari'ah* rules came to exist and that was after the migration (*hijra*) from Makkah to Madina. This is because the Messenger of Allah ﷺ was sent and he stayed in Makkah for thirteen years then he resided in Madina for about ten years and the Qur'ān used to be revealed throughout this period, though the verses of *ahkām* were revealed in Madina. In this period the Qur'ān used to be revealed and the Messenger ﷺ would talk about the *ahkām* relating to whatever they included in terms of events and relating to the solution for whatever problems that arose.

The portion that was revealed in Makkah approximates to about two thirds of the Qur'ān and they are designated as the Makkan verses (*makkiyy*). In their totality they barely deal with a single *hukm,* rather they are confined to explaining the fundamentals of the *deen* and calling people to them, such as the belief in Allah ﷻ and His Messenger ﷺ, the Day of Judgement, the command to perform *Salah*, characterisation by moral attributes such as honesty, trust, and forbidding evil actions such as fornication, murder, burying girls alive, deficiency in the measure and scales etc. The second portion that was revealed in Madina is close to a third of the Qur'ān and they are designated as the Madinan verses (*madaniyy*). They are verses of *mu'amalat* (transactions) such as selling, renting and usury and from the *hudud*, such as the *hadd* of *zina* (fornication) and stealing, from the *jinayat* (capital punishments) such as killing the one who killed someone intentionally or punishment of highway robbers and from the *bayyinat* (testimonial evidences) such as the testimony of *zina* and the rest of the testimonies, as well the remaining rules concerning the worships ('*ibadat*) such as fasting, *zakah*, *hajj* and *jihad* were revealed. From this it becomes clear that even though rules of prayer were revealed in Makkah they do not form a body of rules but knowledge of a type of rule. As for what was revealed in Madina, they consisted of all the *ahkām,* which is why knowledge of such rules is considered *fiqh*. Therefore, it is more accurate for us to say that *fiqh* began in Madina and since *fiqh* constitutes practical rules, they have been revealed to treat incidents that have taken place. The verses of *ahkām* more often than not were in connection to the events that had taken place, so the disputants would refer judgement to the Messenger of Allah ﷺ and he ﷺ would judge between them according to the rules that Allah ﷻ had revealed to him ﷺ or on the occasion of problems requiring solutions an *ayah* or *ayaats* stating the *hukm* would be revealed. This is what it means for the Qur'ān to be revealed gradually (*munajjaman*). Therefore, the legislative aspect used to be quite evident in the revelation of the Qur'ān. The *ayaats* did not treat assumptions that may happen; rather, they treated issues that actually took place and problems that actually take place between people. The Qur'ān continued to be revealed until the year in which the Messenger of Allah ﷺ left for the Sublime Companion (*al-rafiq al-a'la*). Allah ﷻ perfected and completed the *deen* and He ﷻ revealed to him ﷺ the last *ayah* which is His ﷻ saying in *Sura* al-Baqara:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا﴾

"*O you who believe! Be afraid of Allah and give up what remains (due to you) from riba (usury)"* [TMQ Baqarah: 278]

With it the *ahkām* were completed in their capacity as *ahkām*. The Qur'ān and the actions, sayings and consent of the Messenger ﷺ contain the rulings for all the types of actions that ensue from human beings; from the worships (*'ibadat*) like prayer (*salah*) and *zakat*, from the morals such as honesty and trust, from the societal transactions (*mu'amalat*) such as murder and theft, from the testimonial evidences (*bayyinat*) such as the rules of testimonies and the rules of written documents and from the political affairs relating to the domestic policy such as the rules of the *Khalifah* and the rules of the judiciary, or relating to the foreign policy such as the rules of combatants and treaties. Due to the presence of the *Sharī'ah* rules jurispudence (*fiqh*) came into existence because *fiqh* is the knowledge of a body of *Sharī'ah* rules.

The Development of *Fiqh*

Fiqh is one of the most important Islamic disciplines having the greatest effect on society. It is one of the most important branches of the Islamic culture. That is because the Islamic culture is the Qur'ān and Sunnah and whatever is relied upon and laid down in order to understand the Qur'ān and Sunnah. Even though the Islamic culture includes the sciences of the Arabic language, *hadīth* and *tafsīr*, the most prominent thing that appears from it are the thoughts which relate to the viewpoint about life and the solutions which treat the problems of life. In other words, it appears in the beliefs (*'aqaid*) and *Sharī'ah* rules because they are a practical culture adopted to face lifes problems which, in most cases, contains thoughts about beliefs and solutions i.e, the rules. *Fiqh* is nothing other than the knowledge of these rules.

The Islamic culture and the learning of *Sharī'ah* rules began from the time the Messenger ﷺ was sent. The Messenger ﷺ was the only reference point for the *Sharī'ah* rules because he was sent to teach people Allah's *deen*. He ﷻ said:

﴿يَا أَيُّهَا الرَّسُولُ بَلِّغْ مَا أُنْزِلَ إِلَيْكَ مِنْ رَبِّكَ وَإِنْ لَمْ تَفْعَلْ فَمَا بَلَّغْتَ رِسَالَتَهُ﴾

"*O Messenger (saw)! Proclaim (the Message) which has been sent down to you from your Lord. And if you do not, then you have not conveyed His Message*"

[TMQ Mā'idah: 67]

He ﷻ said:

﴿وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾

"*And We have also sent down unto you (O Muhammad(saw)) the reminder and the advice (the Qur'ān), that you may explain clearly to them"*

[TMQ Nahl: 44]

With the exception of the Messenger ﷺ no Muslim has the right to independently put forward an opinion regarding any viewpoint or ruling. Due to the Messenger's ﷺ presence among them referring to him regarding anything they came across was easy, It was still not permitted for any of them to give his personal opinion regarding any event. That is why, when they came across an event or a dispute arose or one of them had an idea they would refer to the Messenger ﷺ. And he ﷺ would give an opinion, settle their disputes and answer their questions, sometimes with an *ayah* and sometimes with a *hadīth*. As for what has been reported that certain *Sahabah* exercised *Ijtihād* in the time of the Messenger ﷺ and pronounced judgements according to their own *Ijtihād* in certain disputes or that they deduced the rule regarding certain events through their own *Ijtihād*. This does not make these *Ijtihāds* a source for *Sharī'ah* rules. Rather they constitute an understanding of the *Sharī'ah* in accordance with the order of the Messenger ﷺ. They constitute the application of the *Sharī'ah*, relying on the Qur'ān and Sunnah as understood by those *mujtahidin*. This is demonstrated by the circumstance in which these *Ijtihāds* took place. It has been reported that the Prophet ﷺ sent 'Ali ibn Abi Talib ؓ to Yemen as a judge. He ﷺ told him:

﴿إن الله سيهدي قلبك ويثبت لسانك، فإذا جلس بين يديك الخصمان فلا تقضين حتى تسمع من الآخر كما سمعت من الأول فإنه أحرى أن يتبين لك القضاء﴾

"May Allah guide your heart and affirm your tongue. When two disputants sit before you, do not pronounce judgment until you have listened to the latter just as you did with the former. It is more proper (for you to does this) so that the judgment becomes manifest to you"

[Reported by Abu Dawud on the authority of 'Ali Ibn Abi Talib]

It has been reported that the Prophet ﷺ sent Mu'az ibn Jabal to Yemen and he ﷺ said to him:

﴿كيف تقضي إذا عرض لك قضاء؟ قال: أقضي بكتاب الله. قال: فإن لم تجد في كتاب الله؟ قال: فبسنة رسول الله ﷺ. قال: فإن لم تجد في سنة رسول الله ولا في كتاب الله؟ قال: أجتهد رأيي ولا آلو. فضرب رسول الله ﷺ صدره وقال: الحمد لله الذي وفق رسول رسول الله لما يرضي رسول الله﴾

"With what will you judge when you come upon a judgement which you do not find in the Book of Allah or the Sunnah of His Messenger. What judgment will you give? Mu'az said: 'I will exercise my own Ijtihād The Messenger ﷺ said: "Praise be to Allah who has made the messenger of the Messenger of Allah to accord with what Allah and His Messenger are pleased with"

[Recorded by Abu Dawud]

It is reported that some people were disputing over a hut between themselves so Hudhayfa was sent to judge between them. Bukhari & Muslim report on the authority of 'Amr bin al-'Aas that he heard the prophet ﷺ say:

﴿إذا حكم الحاكم فاجتهد ثم أصاب فله أجران، وإذا حكم فاجتهد ثم أخطأ فله أجر﴾

"If the judge passes a judgment and makes *ijtihaad* and is right, he will have two rewards. If he passes a judgment and makes *ijtihaad*, and makes a mistake, he will have one reward"

All of these reports and other such examples indicate that the *Ijtihādat* that the Muslims performed during the days of the Messenger ﷺ were in accordance with his ﷺ order. Therefore, he was their source. Thus, the time of the Messenger ﷺ was a time in which the source of the entire Islamic culture existed. That continued from the time he was sent until his death, in a period of time not exceeding twenty two years and a few months in which the whole Qur'ān was revealed and the sublime Sunnah was completed. These are the only texts considered as the source of thoughts, rules and culture in Islam.

With the death of the Messenger ﷺ in the eleventh year of the *Hijra* began the age of the *Sahabah*. It is an age of *tafsīr* and the opening of the doors of deduction (*istinbat*) for issues that did not possess a (clear) text. The *Sahabah* saw that not all of the texts of the Qur'ān and the Sunnah were disseminated widely amongst the people such that they were accessible to each and every person because the texts of the Qur'ān were written down on special parchments preserved in the house of the Messenger ﷺ and preserved in the houses of certain *Sahabah* and the Sunnah had not been written down yet. They found that the texts of the Qur'ān and Sunnah legislated rules for events and issues which took place at the time of legislation. Rules were not legislated for events and issues that only had a possibility of taking place. Needs, events and issues took place amidst the Muslims which did not take place during the time of the Messenger ﷺ, there were no texts for the the problems arising later which would state their ruling. Likewise, they saw that not every Muslim was qualified to refer to the texts of the Qur'ān and Sunnah by himself and understand the ruling indicated by them, since the masses cannot understand the texts except by means of someone who will make them understand the rules of Islam. Therefore, they realised that it was incumbent on them to disseminate the Noble Qur'ān and the *ahadīth* of the Messenger ﷺ among the Muslims. So they undertook the responsibility of compiling the Qur'ān and from this compilation they made many copies which they circulated amongst the Muslims and they took precautions ensuring the trustworthiness of the narration of the Sunnah

and the trust in the scrutiny of the narrators. They also realised that it was incumbent on them to demonstrate to the Muslims the necessary clarification and explanation of the texts of the Qur'ān and Sunnah. So they began to teach people the *deen,* then they took the view that they should provide people with legal verdicts for the events and issues happening to them for which there was no (clear) text. Thus, they began to deduce rules which were necessary for the issues that took place. Due to this they undertook the obligation of the *deen* in the best manner possible.

The methodology according to which the *Sahabah* proceeded in the *Sharī'ah* rules is that when they found a text (*nass*) in the Qur'ān or Sunnah which indicated the ruling on an incident that has happened they stopped at the limit of this text and they confined their efforts to understanding the text and becoming acquainted with what is intended in it in order to attain its correct application on the reality. If they did not find a text in the Qur'ān and the Sunnah indicating the ruling on incidents that they are confronted with, they performed *Ijtihād* to deduce its ruling. In their *Ijtihād* they used to rely on their own understanding of the texts of the *Sharī'ah* and their knowledge of the *Sharī'ah* that they obtained by directly speaking to the Messenger ﷺ and witnessing the revelation of the verses and their application on incidents. By studying the incidents for which they made *Ijtihād* one will notice that they used to make analogy between (an incident) which had a text with one that did not have a text and they did not consider the acquisition of a benefit (*maslaha*) and repulsion of a harm (*mafsada*) as an '*illah* (legal cause) for rulings rather they used to consider the benefit (*maslaha*) indicated by the *Sharī'ah* as the true benefit (*maslaha*). They used to make analogy between the benefit (*maslaha*) (for which no text was mentioned) with a benefit for which a text was mentioned. They did not hold their own opinion about a *maslaha* (benefit) because holding an opinion (which is from oneself) is forbidden. The historians, *muhaddithin* and *fuqaha* (jurists) transmitted many *Ijtihādat* of the *Sahabah*. By studying these *Ijtihādat* the extent of their adherence to the *Sharī'ah* and the extent of their advancement in understanding the *Sharī'ah* becomes clear. A story was brought to the attention of 'Umar about a man who was killed by his stepmother and her lover.

"هل يقتل الكثير بالواحد؟ فقال له علي: أرايت لو أن نفراً اشتركوا في سرقة جزور فأخذ هذا عضواً وهذا عضواً، أكنت قاطعهم؟ قال: نعم. قال: فكذلك. فعمل عمر برأي علي وكتب إلى عامله أن اقتلهما، فلو اشترك فيه أهل صنعاء لقتلتهم"

'Umar hesitated: are many people to be killed for the murder of one person? 'Ali said to him: What do you think if a group participated in the theft of a slaughtered camel such that they distributed it amongst themselves. Would you cut their hands? He said: Yes. Ali said: well it is the same thing. So Umar acted upon Ali's opinion and wrote to his '*Amil*: 'kill them both for if the whole population of San'aa participated I would have had them killed.

Similarly when they disagreed about the question of joint share, when a woman died leaving a husband, mother, uterine brothers and full brothers. 'Umar used to give the husband half, the mother a sixth, and the uterine brothers a third. So nothing remained for the full brothers. It was said to him: Suppose our father was a donkey. Are we not from one mother? So he changed his view and gave them a share. They used to acquaint themselves with the *maslaha* (benefit) for which the text came, if it was understood from the text. Another example is when Allah ﷻ said:

﴿إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسَاكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ﴾

"*As-sadaqat (zakat) are only for the Fuqara (poor), and al-masakin (needy) and those employed to collect (the funds); and for to attract the hearts of those who have been inclined (towards Islam)*" [TMQ Tawba: 60]

So Allah ﷻ made those whose hearts have to be a reconciled (towards Islâm) an expenditure from the sources of *zakat*. It has been established that the Prophet ﷺ used to give money to

people whose hearts had been reconciled with Islam. After the death of the Messenger ﷺ it is narrated about 'Umar that he forbade the payment of those whose hearts had been reconciled (*al-mu'allaftu qulubuhum*). He told them:

"إن الله أعز الإسلام وأغنى عنكم فإن ثبتّم عليه وإلا فبيننا وبينكم السيف"

'Allah ﷻ has made Islam strong and so Islam is in no need of you, either you stick to Islam or else between you and us is the sword.'

Umar was of the view that the reconcilings of hearts towards Islam was there because the state was weak because the expression, for the expression 'reconciling hearts' (*ta'leeful al-qulub*) indicates this. For when do you reconcile hearts except when you are in a state of need for them (the people) ? Umar took the opinion that the need to reconcile hearts ended when Islam became strong, without the need to reconcile hearts, the '*illah* (legal cause) does not apply and due to this the *hukm* also does not apply.

The *Sahabah* used to investigate and ask the people about the *Shari'ah* texts regarding matters they did not know and they (may Allah be pleased with them) used to be all gathered together in the *Hijaz*, discussing the Qur'ān and Sunnah. If they did not find a *hukm* in the Qur'ān and Sunnah for the issue they were looking for they would ask Muslims if any of them knew what the Messenger of Allah ﷺ passed as a judgement for the issue. That is why they used to refer to each other and get together to discuss the issues and give an opinion for it. Abu Bakr and 'Umar used to deduce rules and refer to the people. *Al*-Baghawi has narrated in his *Masabih al-Sunnah*:

"كان أبو بكر إذا ورد عليه الخصوم نظر في كتاب الله، فإن وجد فيه ما يقضي بينهم قضى به، وإن لم يوجد في الكتاب. وعلم من رسول الله في ذلك الأمر سنة قضى بها، فإن أعياه خرج فسأل المسلمين وقال: أتاني كذا وكذا فهل علمتم أن رسول الله قضى في ذلك بقضاء. فربما اجتمع عليه النفر كلهم يذكر من رسول الله فيه قضاء فيقول أبو بكر "الحمد لله الذي جعل فينا من يحفظ عن نبينا"

'When a dispute was reported to Abu Bakr he used to look into the Book of Allah ﷻ. If he found something to judge between them he gave that judgement and if it is not found in the Qur'ān and he knew a Sunnah from the Messenger of Allah ﷺ regarding that matter he would give judgement by it. Failing that he would go out and ask the Muslims; such and such matter has come to me do you know of any judgement given by the Messenger of Allah ﷺ pertaining to this?' Probably the whole group would agree mentioning a judgment by the Messenger of Allah ﷺ. Abu Bakr would say: 'Praise be to Allah ﷻ Who has made people amongst us memorise (issues) concerning our Prophet ﷺ.'

If he failed to find a Sunnah of the Messenger of Allah ﷺ he gathered the heads of people and the best amongst them and consulted them. If they had a consensus on a matter he would judge with that. It has been reported that 'Umar used to consult the *Sahabah* despite his knowledge of *fiqh* to the extent that when an incident would be refered to him he would say: Call 'Ali for me, call Zayd. He used to consult them and settle the dispute with whatever they were agreed upon. Due to the *Sahabah*'s reference to each other differences of opinion between them were rare because each *Sahābi* expressed to another *Sahābi* his own perspective and the evidences he educed. Their view on the whole was true and correct and each one referred to the other. And even though their views differed in certain rules but their differences were rare and it was in their understanding and not in the method of understanding.

When the conquests expanded and the *Sahabah* became separated in various cities and it became difficult for these *Sahabah* to meet, every time an incident occurred which had no text, each

Sahabah gave his own opinion without expressing it to others or referring to others due to the difficulty in meeting since the cities were distant from each other and also due to the need of giving an opinion on an incident occurring in the city in order pass judgement by it. In every Muslim city there was one or more *Sahabah*. They were the reference point for rulings. They used to deduce rules which had no text and assume the task of clarifying and explaining the text just as they took the responsibility of teaching the people the Qur'ān and Sunnah. The Sunnah had still not been written down, therefore the opinions of *Sahabah* differed about a single incident and each one had an evidence for the opinion he had educed and gave legal verdicts with. However, all of these opinions were *Sharī'ah* rules and were acceptable to all of them since their disagreement was only in their understanding. As for their method of *Ijtihād* it was one which is to consider the text of the Qur'ān and *hadīth* and examine the texts, and ensure that the accredited *maslahas* (benefit) are the ones only indicated by the *Sharī'ah* and make analogy to issues and *maslahas*. The unity of the methodology in *Ijtihād* did not allow the difference in understanding to have any effect. On the contrary it was one of the reasons for the growth and expansion of *fiqh*. Their legal verdicts (*fatwas*) were according to the incidents and issues that took place. The range of their disagreement did not widen and nor did it overstep the *furu'* (branches of *fiqh*). The disagreement of the *Sahabah* in *furu'* is attributable to two reasons:

First: That most of the texts of the Qur'ān and Sunnah are not definite in indicating what is meant rather they are of speculative meaning (*zanniyya al-dalāla*). Also they are liable to indicate this or that meaning due to the text sharing two or more linguistic meanings or the text being general such that it is open to specification. Each *Mujtahid* attempted to understand the text according to what was preponderant from the *qara'in* (indications).

Second: The Sunnah had not yet been recorded in the written form. There was no unanimity on the body of *hadīth* which had spread among Muslims so as to be a common reference. Rather, the *hadīth* was circulated via transmission and memory. Perhaps a *mujtahid* in Egypt would know a *hadīth* but a *mujtahid* in Damascus did not know it. Many a times certain *mujtahidin* would retract from another *mujtahid's* fatwa when they came to know that someone else knew of a Sunnah that they did not know. This led to disagreements in *furu'* (branches of *fiqh*) but the evidences and principles concerning them did not differ therefore their method of *Ijtihād* did not differ.

In short, the *Sahabah* (may Allah be pleased with them) were scholars of the *Sharī'ah*. They learnt the Qur'ān and acquired the *hadīth* and took it upon themselves to implement the rules of Islam by mixing with the one responsible for the Message, our master Muhammad ﷺ. They used to rule the people, judge between them and teach them their *deen*. They used to be a light for the inhabitants of the country who lived there and trustees of the *Sharī'ah* and in calling people to Islam they were true believers. They would recite the Qur'ān to the people and teach them the laws and rules. In teaching people Islam they use to follow a practical course. So they taught the people Islam and its rules and the method by which they would benefit in solving the problems of life with those rules. They were rulers and at the same time they were teachers. The people approached the *Sahabah* and recieved the culture from them, taking Islam and understanding the rules. The opinions in *ahkām* that they clarified were termed as 'legal verdicts' (*fatawa*). The *fatwa* of about one hundred and thirty companions of the Messenger of Allah ﷺ (among which there are men and women) have been preserved. Seven of them were the most knowledgeable and gave the most opinions. They have been called the *al-mukaththirun* (those who were prolific in giving opinions). And they are: 'Umar, 'Ali, Ibn Mas'ud, 'A'isha, Zayd ibn Thabit, Ibn 'Abbas and Ibn 'Umar. The *Khalifah*s, *Walis* and the rest of the rulers were *fuqaha* in *ahkām*, scholars of the *Sharī'ah* and busy in passing *fatwa* (legal verdicts), that is why Islam was embodied in them. Their minds were filled with its culture and their thoughts originated from this culture and the concepts they believed in emanated from these thoughts. They are the ones who implemented these orders, prohibition and rules. So the *Khalifah* and the *Wali* were the same people who thought, acted, understood and ruled. That is why their actions used to be correct and their

affairs were on the right path and their lives were elevated and their manner of speaking with the people was honest and their rules adherent to the path of Islam with extreme precision. A group from the *Tabi'in* stuck to the *Sahabah* and learnt Qur'ān from them, reported the Sunnah from them, memorised their legal verdicts and underwent their methods of deduction of *ahkām*. There were those who used to give legal verdicts in the lifetime of the *Sahabah* like Said ibn al-Musayyab in Madinah and Sa'id ibn Jubayr in Kufa. Thus, we find after all the *Sahabah* had passed away, the *Tabi'in* succeeded them in *fiqh* and *istinbat* (inference of rules). They used to deduce rules according to their own *Ijtihād*. They used to first look at the Book of Allah ﷻ and the Sunnah of the Messenger of Allah ﷺ, if they did not find anything there then they would study the *fatwa* (legal verdicts) of the *Sahabah*. They used to have opinions concerning the *Fatwas* of *Sahabah* from a jurisprudential perspective and they used to outweigh one statement over another. They used to take the opinions of some of them or sometimes they even differed with the *Sahabah*. The *Tabi'ins* method of inferring rules was the same method of the *Sahabah*. That is why their *fatwas* were according to the incidents and issues that took place without the presence of any assumptions. Rather it is according to the incident that you will find the *fatwas*. The range of disagreement did not become wide between them and nor did the reasons for disagreement on which the *Sahabah* disagreed overstep the mark which used to relate to the understanding of the text and not to the *Shari'ah* evidences. Therefore, there were no disagreements amongst Muslims which affected life.

The effect of disputes and Debates (*Munazarat*) on Islamic jurisprudence

Two events took place during the time of the *Sahabah*: The first is the civil war (*fitna*) regarding 'Uthman and the second are the debates which took place between the '*Ulamā*. This resulted in disagreements over the types of *Shari'ah* evidences which led to the presence of new political groups which in turn led to the presence of various juristical schools of thought. That is because after 'Uthman ﷺ was murdered and the *bay'a* (pledge) of the *Khilafah* was given to 'Ali ibn Abi Talib with whom Mu'awiyya ibn Abu Sufyan disputed and war broke out between the two factions and ended with the judgement of the two arbitrators. This resulted in the formation of new political groups which had not existed before. These groups came to have new opinions. The opinion began politically concerning the *Khalifah* and the *Khilafah*. Then it included most of the remaining *ahkām*. A group of Muslims arose who loathed 'Uthman for his policies during his *Khilafah* and they resented Ali's acceptance of arbitration (*tahkeem*) and they were angry over Mu'awiyyah for seizing the *Khilafah* by force. So they rebelled against all of them. Their view was that Muslims should give pledge to the *Khalifah* of the Muslims purely according to their choice without coercion or force. And that whoever qualifies for the *Khilafah* he is eligible to be the *Khalifah*. Muslims should give *bay'a* to him and the *Khilafah* will be contracted to him by the pledge as long as he is a man, Muslim and just even if he was a Ethiopian slave, and that obedience to the *Khalifah* is not obliged except if his matter was within the limits of the Qur'ān and Sunnah. These people did not take rulings reported in *hadīth* narrated by 'Uthman, Ali, Mu'awiyya or if a *hadīth* was narrated by a *Sahabi* who supported any one of them. They rejected all of their *ahadīth*, opinions and legal verdicts and they outweighed what was narrated by those they approved of. They only considered their opinions and their own scholars to the exclusion of others. They had their own *fiqh* and they are called the *Khawarij*. Another group from the Muslim arose which adored 'Ali ibn Abi Talib ﷺ and loved his descendants. They took the view that he and his descendants had greater right to the *Khilafah* over anyone else and they believed he was the *wasi* (trustee) to whom the Messenger ﷺ bequeathed the *Khilafah* after him. They rejected many *ahadīth* narrated about the Messenger ﷺ by the majority of the *Sahabah*. They did not depend on the views of the *Sahabah* and their legal verdicts. They only relied on the *ahadīth* narrated by their *imams* and the family of the Prophet ﷺ and relied on the legal verdicts originating from them. They had their own *fiqh* and they are the *Shi'a*. As for the majority of the Muslims they did not adopt the opinions adopted by the aforementioned groups. They took the view that the pledge should be given to a *Khalifah* from Quraysh if such a person was found, and they conveyed without a single exception, great respect, affection and loyalty to all the *Sahabah*. And they interpreted the disputes between them as being *Ijtihād* in speculative *Shari'ah* rules which were not linked to belief (*imān*) or disbelief (*kufr*). They would use as proof every authentic *hadīth* narrated by a *Sahābi* without any discrimination between the *Sahabah*. Since for them all of the *Sahabah* were trustworthy and they accepted all the *fatwas* and opinions of the *Sahabah*. Due to this their *ahkām* did not accord with the *ahkām* of the other political groups in a number of topics due to their disagreement regarding ruling, method of *istinbat* (inference of rules) and in the types of evidences.

From this it becomes clear that when the civil war (*fitna*) happened it created a jurisprudential and political condition which led to disagreements which had an impact on history. However the disagreement was not over the *Shari'ah* but concerning the understanding of the *Shari'ah*. That is why all of the people who disagreed were Muslims even though their disagreement exceeded the *furu'* and rules to the foundations, evidences and the method of inference.

As for the debates which took place between the *'Ulamā* it led to juristic disagreements but did not lead to political disagreements because the disagreement was not over the *Khalifah*, the

Khilafah or the ruling system. It was over the rules and their deduction. The basis of that was that debates and disagreements took place between the certain *mujtahidin* which led to a disagreement over the method of inference (*istinbat*). In Madina Islamic discussions concerning the deduction of rules took place between Rabi'a ibn Abi 'Abd al-Rahman and Muhammad ibn Shihab al-Zuhri which led many *fuqaha* (jurists) of Madina to withdraw from Rabi'a's sessions until they came to give him the title of '*Rabi'at ar-ra'i'*. A similar thing also happened in Kufa between Ibrahim al-Nakha'i and al-Sha'bi. From these debates a number of opinions came to be formed about the method of deducing rules until the *Mujtahidin* came to have different methodologies in *Ijtihād*. In the middle of the 2nd century A.H these different methods of *Ijtihād* became apparent and so did the disagreements concerning them and various views were formed. The *Tabi'in* used to be close to a group of *'Ulamā* and *mujtahidin* so they came to follow their method. Though, for those who came after them the scope of the disagreement became wider. The reasons for their disagreement did not stop at the understanding of the texts but extended to reasons linked to *Sharī'ah* evidences and linguistic meanings. It was in this manner that their disagreements took place in the *furu'* (branches of *fiqh*) and usul (principles of jurisprudence). They came to form factions, each faction had its own school (*mazhab*). Owing to this the *mazhabs* were formed. The schools were many, more than four, five, six and more. The disagreement of the *mujtahidin* over the method of *Ijtihād* is attributable to their disagreement around three issues: First, the sources from which the *Sharī'ah* rules are deduced. Second, the perception of the *Sharī'ah* text and third, disagreement over certain linguistic meanings which are applied in understanding the text.

As for the first it is attributable to four issues:

1. The method of authenticating the Sunnah and the criterion by which one narration is preferred over another and that is because the authentication of the Sunnah assumes the task of authenticating its narration and the manner of narration. The *mujtahidin* differed on the method of authentication. Some of them advanced the *mutawatir* (concurrent) and *mashhur* Sunnah as proof and outweighed whatever was narrated by the trustworthy amongst the *fuqaha*. This meant that they gave the *mashhur hadīth* the same *hukm* (value) of the *mutawatir* and they used it to specify the '*aamm* (general) in the Qur'ān. There were those who gave preponderance to what the people of Madina were unanimously agreed upon and disregarded the isolated *ahadīth* (*khabar al-ahad*) which went against it and there were those who advanced as evidence what upright ('*udul*) and trustworthy (*thiqat*) transmitters narrated whether they were from the *fuqaha* or not whether they were from the family of the Prophet ﷺ or not and whether it agreed with the people of Madina or went against it. Amongst them there were those who took the view that *hadīth* transmitters are not to be considered except if they are from their *imams*. They had a specific method in transmitting the *hadīth* in its consideration and use and they had specific transmitters on which they relied but did not rely on others. Some *mujtahidin* differed with regards to the *mursal hadīth* which is what a *Tabi'i* narrates directly from the Prophet ﷺ while omitting the *Sahabah*. Amongst the *mujtahidin* there were those who would use the *mursal hadīth* as proof and there were those who did not.

So this disagreement regarding the method of authenticating the Sunnah led to some of them using a Sunnah as proof which the others did not use and some of them gave preference to a Sunnah which was of lesser preference to others and this took the disagreement to the manner in which the Sunnah is taken as a *Sharī'ah* evidence. So the disagreement in the *Sharī'ah* evidences took place.

2. Disagreement regarding the legal verdicts of *Sahabah* and their evaluation. The *mujtahidin* and the *imams* differed with regards to the jurisprudential legal verdicts which came from individual *Sahabis*. There were those who took any one of these *fatwas* and did not restrict themselves to any particular one but did not turn away from all of them either and there were those who took the view that they constituted as individual jurisprudential legal verdicts ensuing from people who

are not infallible, so the scholar has the right to take any one of the *fatwas* or give legal verdicts which go against all of them. They viewed them as *Sharī'ah* rules which have been deduced and not as *Sharī'ah* evidences and there were those who took the view that certain *Sahabah* were infallible (*ma'sum*) and his view is to be takes as a *Sharī'ah* evidence. So his sayings constitute the sayings of the Prophet ﷺ and his actions constitute the actions of the Prophet ﷺ and his consent constitutes the consent of the Prophet ﷺ. As for other *Sahabah* they are not infallible (*ma'sum*) so their views are not to be taken at all, neither in the capacity of a *Sharī'ah* evidence nor in the capacity of a *Sharī'ah* rule. Also, there were those who took the view that one should not take from certain *Sahabah* because of their participation in the civil war (*fitna*) and those who did not participate, one can take from them. Consequently, another facet of this difference of opinion arose about evidences.

3. Disagreement in *Qiyas* (analogical deduction). Some *mujtahiddin* rejected the use of *Qiyas* as evidence and they disclaimed its status as a *Sharī'ah* evidence. Among them there were those who advanced *qiyas* as a proof and considered it a *Sharī'ah* evidence after the Qur'ān, Sunnah and *ijma'* (consensus). However, despite their agreement that it constitutes a proof they disagreed as to what qualifies as an '*illah* (legal cause) for the *hukm* and on what *qiyas* is based. As a result the difference of opinion surrounding evidences arose.

4. Disagreement over *ijma'* (consensus). The Muslims agreed on the consideration that *ijma'* is a proof. Some of them viewed the *ijma'* of the *Sahabah* as a proof and some of them saw the *ijma'* of the Prophet's family as proof. Some saw the *ijma'* of the *ahl halli wal 'aqd* (the influential and leading figures) as proof and some saw the *ijma'* of the Muslims as proof. There were those who viewed *ijma'* as a proof because it constituted an agreement on an opinion, therefore, if they agreed on a matter and advanced a view then it is considered an *ijma'* which is used as an evidence. And there were those who viewed the recognised *ijma'* as a proof not because it constitutes an agreement on an opinion but because it reveals an evidence. So the *Sahabah*, family of the Prophet ﷺ and the people of Madina had companionship with the Messenger ﷺ and saw him and they are trustworthy ('*udul*). When they hold a *Sharī'ah* opinion but do not cite its evidence, their opinion is considered as disclosing the opinion as having been stated by the Messenger ﷺ or he acted upon it or was silent about it. Thus, they reported a *hukm* but did not report its evidence due to it being widely known amongst them. Therefore, the meaning of *ijma'* constituting a proof for them is that it reveals an evidence.That is why their agreement and reminding each other and then giving their opinion is not considered an *ijma'*. Rather the *ijma'*; is that they should give an opinion without reaching an agreement on it. Therefore another difference of opinion came regarding the evidences.

These four issues have widened the rift of disagreement between the *mujtahidin*. They are not considered as disagreements over the understanding of the text as was the case in the time of the *Sahabah* and *Tabi'een* but it passed that and became a disagreement over the method of comprehension. In other words, it is not considered as a disagreement over the rules but it surpassed that and became a disagreement over the method of deducing rules. That is why we find some *mujtahidin* taking the view that the *Sharī'ah* evidences are the Qur'ān, Sunnah, saying of Imam 'Ali ﷺ, *ijma'* of the family of the Prophet ﷺ and the mind. Some of them took the view that the *Sharī'ah* evidences are the Qur'ān, Sunnah, *ijma'*, *qiyas*, *istihsan* (juristic preference), the *fatwa* of the *Sahābi* (*mazhab al-sahābi*) and the *Sharī'ah* of the people of before (*shari' min qablina*). Some of them were of the opinion that the evidences were the Qur'ān, Sunnah and *ijma'* and there were those who held that the evidences were the Qur'ān, Sunnah, *ijma'*, *qiyas*, *al-masalih al-mursala* (considerations of public interest) etc... That is why they disagreed about the *Sharī'ah* evidences. This led to the differences in the methodology of *Ijtihād*.

As for the second issue to which the differences in the method of *Ijtihād* are attributed, it is how the *Sharī'ah* text is viewed. Some of the *mujtahidin* restricted themselves to the understanding of

the expression mentioned in the *Sharī'ah* text and they stopped at the limits of the meanings they indicated and confined themselves to these meanings. They have been called the *Ahl al-hadīth*. Some of them study the reasoned meaning that the expression connotates apart from the apparent meaning, they were called as *Ahl ar-Ra'i.* It is from here that many have said that the *mujtahidin* are divided into two groups: *Ahl al-hadīth* and *Ahl al-ra'i*. This division does not mean that the *Ahl al-ra'i* in their legislation do not refer to the *hadīth* and that the Ahl al-*hadīth* in their legislation do not refer to *ra'i* (opinion). Rather, all of them take *hadīth* and *ra'i* (opinion) because all of them agree that *hadīth* is a *Sharī'ah* proof and that *Ijtihād* using *ra'i* in understanding the intelligible aspect of the text is a *Sharī'ah* proof. What becomes apparent to anyone who scrutinises this is that the subject is not the proponents of *hadīth* or *ra'i* themselves. Rather, the issue is the evidence on which the *Sharī'ah* evidence depends. That is because the Muslims relied on the Book of Allah ﷻ and the Sunnah of His Messenger ﷺ, if they did not find that clearly stated they used their own opinion in deducing that from them. So the rule which is clearly stated like:

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

"*Allah has permitted trading and forbidden riba (usury)*" [TMQ Baqarah: 275]

its evidence is considered the Book of Allah ﷻ and anything clearly stated in the *hadīth* such as:

﴿لا يبع الرجل على بيع أخيه﴾

"Let not a man conduct a transaction against the transaction of his brother" [Recorded by Muslim on the authority of Ibn 'Umar]

its evidence is considered the *hadīth*. As for anything other than this, like the prohibition of leasing property due to the *azan* of *Jum'a* prayer or such as the conquered land coming under the control of the *bayt al-mal* (treasury) and its use by all the people etc, it is considered an opinion (*ra'i*) even if it is based on the Qur'ān and Sunnah. So they called everything that did not have a clear text an opinion (*ra'i*) even if they acted upon it due to a comprehensive rule (*hukm kulliy*) or it was deduced from the Qur'ān and Sunnah. The truth is that this *ra'i* which is acted upon via a comprehensive rule (*hukm kulliy*) or general principle or it has been deduced from an understanding of the text mentioned in the Qur'ān and Sunnah it is not called an opinion but rather it is a *Sharī'ah* rule (*hukm shar'i*) since it is a statement based on an evidence, it constitutes adherence to the evidence.

The basis of dividing the *mujtahidin* into *Ahl al-hadīth* and *Ahl al-ra'i* stems from the fact that some *fuqaha* scrutinised the foundations on which the inference (*istinbat*) had been built. It became clear to them that the meanings of the *Sharī'ah* rules are comprehensible and they were revealed to solve the problems of people and to obtain benefits (*masalih*) for them and avert harms (*mafasid*) that come in their way. Therefore, it is essential to understand the texts as widely as possible, encompassing everything indicated by the expression, on this basis they came to understand and outweigh one text over another and make deductions for issues that did not have a (clear) text. Certain *fuqaha* devoted their attention to the preservation of the isolated *hadīth* (*khabar al-ahad*) and the *fatwas* of the *Sahabah*. In their inferences they they took the path of understanding these isolated *ahadīth* and reports about the *Sahabah* within the limits of its texts and they applied them on events that occurred. As a consequence disagreement arose concerning the consideration of texts as *Sharī'ah* evidences and whether to consider the '*illah* (legal cause) or not.

The origin of the question surrounding the use of *ra'i* is that there are evidences which prohibit its use. So in the *Sahih* of Bukhari, on the authority of 'Urwa ibn al-Zubayr who said: 'Abd Allah ibn 'Amr ibn al-'As overcame us with proof. I heard him say:

﴿إن الله لا ينزع العلم بعد إذ أعطاكموه انتزاعاً ولكن ينزعه مع قبض العلماء بعلمهم فيبقي ناس جهال يُستفتون فيفتون برأيهم، فيضلون ويضلون﴾

"Allah will not deprive you of knowledge after he has given it to you, but it will be taken away through the death of the religious learned men with their knowledge. Then there will remain ignorant people who, when consulted, will give verdicts according to their opinions whereby they will mislead others and go astray"

[Recorded by Bukhari on the authority of 'Abd Allah Ibn 'Amr]

'Awf ibn Malik al-Ashja'i narrated that the Messenger of Allah ﷺ said:

﴿تفترق أمتي على بضع وسبعين فرقة أعظمها فتنة قوم يقيسون الدين برأيهم يحرمون به ما أحل الله ويحلون ما حرم الله﴾

"My *Ummah* will become divided into some seventy sects, the greatest will be the test of the people who make analogy to the deen with their own opinions, with it forbidding what Allah has permitted and permitting what Allah has forbidden"

[Recorded by Al-Bazzar and Tabarani in his Al-Kabeer]

Ibn 'Abbas said that the Messenger of Allah ﷺ said:

﴿من قال في القرآن برأيه فليتبوأ مقعده من النار﴾

"Whoever speaks about the Qur'ān with his own opinion, let him reserve his place in the fire". [Reported by Tirmidhi].

These *ahadīth* are explicit in their censure of the use of *ra'i*. However, the *ra'i* is not the same *ra'i* employed by the scholars of *ra'i* like the *Hanafis*. Rather the blameworthy *ra'i* is that of speaking about the *Shari'ah* without any authority. As for the *ra'i* which is premised on a *Shari'ah* basis, the *ahadīth* and reports about the *Sahabah* (*athar*) indicate that it is a *Shari'ah* rule and based on an objectionable *ra'i*. The Prophet ﷺ has permitted the judge to exercise his own *Ijtihād* and informed him of reward, despite if he makes a mistake in exercising his own opinion, one reward, if his aim was to gain knowledge of the truth and follow it. The Prophet ﷺ ordered the *Sahabah* on the day of the (battle of) *Ahzab* (the confederates) to pray the mid-day ('*asr*) prayer in Bani Qurayza. Some exercised their own *Ijtihād* and prayed on the way, they said it does not mention any delay rather what he ﷺ meant was to advance quickly, thus they took into consideration the meaning. The others exercised their *Ijtihād* and delayed the prayer until Bani Qurayza. They prayed the '*asr* prayer at night, thus they took into consideration the wording. The Messenger ﷺ accepted both groups, each one on its own opinion. Mu'az narrated 'that when the Messenger of Allah ﷺ sent him to Yemen he said:

﴿كيف تقضي إذا عرض لك قضاء؟ قال: أقضي بكتاب الله. قال: فإن لم تجد في كتاب الله؟ قال: فبسنة رسول الله ﷺ. قال: فإن لم تجد في سنة رسول الله ولا في كتاب الله؟ قال: أجتهد رأيي ولا آلو. فضرب رسول الله ﷺ صدره وقال: الحمد لله الذي وفق رسول رسول الله لما يرضي رسول الله﴾

"What will you do when a judgement presents itself. Mu'az said: 'I will judge by what is in the Book of Allah. He said: But what if it is not in the Book of Allah? He said: I will judge by what is in the Sunnah of the Messenger of Allah ﷺ. He said: But what if it is not in the Sunnah of the Messenger of Allah ? He replied: I will exercise my own Ijtihād, it does not bother me He said:

So the Messenger of Allah beat my chest and said: 'Praise be to Allah who has made the messenger of the Messenger of Allah to accord with what pleases the Messenger of Allah"

[Reported by Abu Dawud]

So this is the *ra'i* on which the *fuqaha* and the *mujtahidin* who advocated *ra'i* proceeded on acting upon the Sunnah. It is the *ra'i* which is based on the text. They are also the *Ahl al-hadīth* even if they were called the *Ahl al-ra'i*. Even the *Hanafis* who have become famous as *Ahl al-ra'i* agree that the opinion of Abu Hanifah is that the *hadīth* other than the *Sahih*, i.e, the *hadith hasan* is more entitled to be followed than *qiyas* or *ra'i*. So he gave precedence to the *hadīth* of *qahqaha* (loud laughter), even though it is *hasan*, over *qiyas* and *ra'i*. And he prevented the cutting of the hand of a thief for a theft whose value is less than ten dirhams but the *hadīth* did not reach the level of *Sahih* rather it is *hasan* which indicates that *ra'i* for them is an understanding of the text. They gave *qiyas* a rank lower than the *hasan hadīth* let alone the *hadīth* which is *Sahih*. This indicates that what is intended by *ra'i* is the understanding of the text and the *ra'i* which is based on the text. So the *Ahl al-ra'i* are *Ahl al-hadīth* as well.

As for the third issue which led to disagreements over the method of deducing rules, it concerns certain linguistic meanings which are applied in understanding the text. The disagreement between the *mujtahidin* arose from the styles of the Arabic language and whatever they indicated. There were those who took the view that the text was a proof for establishing the *hukm* from its wording (*mantuq*) and for proving the opposite of this *hukm* from the opposite understanding (*mafhum al-mukhalif*) and there were those who view the unspecified '*aamm* (general) as definite (*qat'i*) in dealing with all its parts and there those who saw it as speculative (*zanni*). There were those who viewed the general order as tantamount to an obligation, they did not deviate from this except when there was a *qarina* (indication) to the contrary. So the order obliges an action. And some of them used to take the view that an order was merely a request to do an action. It is the *qarina* (indication) which clarifies whether it is an obligation or otherwise. As a result, disagreements arose concerning the understanding of the texts and let to disagreements in the method of *Ijtihād*.

Thus, in this manner the disagreement between the generations of the *Tabi'een* arose in the methodology of deducing *ahkām* and each *mujtahid* came to have his own special methodology. From this disagreement over the method of deducing rules arose various juristic schools which led to the growth of the jurisprudential wealth and made *fiqh* flourish in its entirety. This is because a difference in understanding is natural and it assists the development of thought. The *Sahabah* used to disagree amongst themselves. 'Abd Allah ibn 'Abbas disagreed with 'Ali, 'Umar, Zayd ibn Thabit even though he had learnt from them. Many of the *Tabi'in* disagreed with certain *Sahabah* yet they took knowledge from them. Malik went against many of his *Shaykhs* and Abu Hanifah disagreed with Ja'far al-Sadiq concerning certain issues despite learning from him. Shafi'i disagreed with Malik in many issues even though he had learnt from him. Thus, the *'Ulamā* used to disagree with each other and students disagreed with their *Shaykhs* and teachers. They did not consider that as bad manners or rebellion against their *Shaykhs*. This is because Islam encourages people to do *Ijtihād*. Every scholar has the right to comprehend and make *Ijtihād* and not be confined to the view of a *Sahābi* or *Tabi'i* nor to be confined to the opinion of a *shaykh* or a teacher.

The Flourishing of Islamic Jurisprudence

The Muslims generally used to perform *Taqlīd* to the *mujtahidin* despite their disagreements since the basis of their disagreements was the *Sharī'ah* evidence. So the understanding of every *mujtahid* of the address of the Legislator (*khitab al-shaari'*) is considered a *Sharī'ah* rule with respect to him and with respect to the one who makes *Taqlīd* to him. This is because because the address of the Legislator is the *hukm shar'i* (*Sharī'ah* rule) and the understanding of the Legislator's address is a *Sharī'ah* rule but in respect to the one who understood it and in respect to the one who follows him in this understanding. Those who attained the understanding of the Legislator's address used to perform *Ijtihād*. Those who did not reach the level of *Ijtihād* used to follow, in *ahkām* (rules), those who had reached the level of *Ijtihād* and practised *Ijtihād*. The issue was not that of following the *faqih* personally just as the issue is not one of making *Taqlīd* to a *mazhab*. Rather, the issue is about adopting the *hukm shar'i* deduced by the *faqih* and acting upon it. Since, the Muslim is ordered to follow the *Sharī'ah* rule only and act upon it and not follow a *mazhab* or person or act according to any particular *mazhab* or follow any particular person. When he is able to reach the *hukm shar'i* through his own *Ijtihād* he should do that, if not he should adopt a *hukm* deduced by someone else. In the early ages the *mujtahidin* could be counted by the thousands. That is why we find that the *mujtahidin* whom the Muslims used to follow were not restricted to four, five, six or any number of *mazhabs*, in fact there were many *mazhabs* and numerous *mujtahidin*. Each group used to follow rules deduced by a *mujtahid* whether he was from a *mazhab* or not. For example, the general population of Kufa acted upon the *fatwa* of Abu Hanifah and Sufyan al-Thawri but the *Shi'a* used to act upon the *mazhab* of Ja'far al-Sadiq. The practise of the people of Makkah used to be according to the *fatwa* of Ibn Jurayj and the people of Madina on the *fatwas* of Malik and the people of Basra on the *fatwas* of 'Uthman and the people of al-Sham on the *fatwas* of al-Awza'i and the people of Egypt on the *fatwas* of Ibn Sa'd, and the people of Khurasan on the *fatwas* of 'Abd Allah ibn al-Mubarak and some of the people of Yemen on the *fatwas* of Zayd ibn al-Husayn. Many of the Muslims used to follow the *fatwas* of Sa'id ibn al-Musayyab, Ibn Abi Layla, 'Ikrama, Rabi'i Ar-Ra'i, Muhammad ibn shihaab Az-Zuhri , Hasan Al-Basari, Laith ibn sa'ad, Sufyan Ibn 'Uyayna, Ishaq ibn Rahawiya, Abi Thawr, Dawud Az-Zahiri, Ibn shibrima and Ibn Jarir At-Tabari. Each of them was a *Mujtahid* and lead a *mazhab*. Each of the *mazhabs* from these *mazhabs* had a particular methodology in *Ijtihād* and a particular *ra'i* (opinion) in the *ahkam*. Many of the *Mujtahidin* and *Imams* were judges and rulers in the lands. The differences among the *imams* and the judges and rulers lead to a difference in the *ahkam* (rules), each one judged with his own opinion or according to the opinion of a *faqih* whose opinion he held. This resulted in the presence of different judgements in the state, due to this there were *'Ulamā* who were obviously inclined towards unifying the ruling by which judgement is given and wanted the *Khalifah* to issue an order for people to adhere to it. At that time, certain people who knew about the situation of the society took the view that a comprehensive book should be written to which judges and other should refer, so as to lighten the burden of the judges and make it easy for the litigants. Ibn al-Muqaffa' wrote a letter to the *Khalifah* al-Mansur regarding this matter, in which it was mentioned:

"ومما ينظر أمير المؤمنين فيه من أمر هذين المصرين البصرة والكوفة وغيرهما من الأمصار والنواحي، اختلاف هذه الأحكام المتناقضة التي قد بلغ اختلافها أمراً عظيماً في الدماء والفروج والأموال. فيستحل الدم والفرج بالبصرة ويحرمان بالكوفة ويكون مثل ذلك الاختلاف في جوف الكوفة فيستحل في ناحية منها ويحرم في ناحية أخرى. غير أنه على كثرة ألوانه نافذ في المسلمين في دمائهم وحرمهم يقضي به قضاة جائز أمرهم وحكمهم. فلو رأى

أمير المؤمنين أن يأمر بهذه الأقضية والسير المختلفة فترفع إليه في كتاب ويرفع معها ما يحتج به كل قوم من سنّة أو قياس، ثم نظر أمير المؤمنين في ذلك، وأمضى في كل قضية رأيه الذي يفهمه ويعتزم عليه، وينهى عن القضاء بخلافه، وكتب بذلك كتاباً جامعاً، لرجونا أن يجعل الله هذه الأحكام المختلطة الصواب بالخطأ حكماً واحداً صواباً، ورجونا أن يكون اجتماع الأمر برأي أمير المؤمنين وعلى لسانه. ثم يكون ذلك من إمام آخر آخر الدهر"

‘ What does the *Ameer al-mu’minin* see regarding the matter of these two cities ; Basrah and Kufah and other cities and regions, about the difference of these contradictory rulings which has reached great proportions in rulings relating to blood, chastity and property. The rules concerning blood and chastity allowed in Basrah are forbidden in Kufah, such disagreements are taking place in the heart of Kufah as well, something is allowed in one area but not in another. However, despite its various forms it is legally valid in the life of Muslims, in their blood and sacred possessions, where judges validly judge with it. If the *Ameer ul Mumineen* sees it is appropriate and ordered that these different verdicts and courses be reported to him in writing together with the supporting evidences from the Sunnah and *Qiyas:* However, despite its various forms it is legally valid in the life of Muslims, in their blood and sacred possessions, where judges validly judge with it. If he then wrote a book in that, we would then hope that Allah makes these verdicts, in which the right one is mixed with the wrong one, the same correct one. We would also hope that the convention of the matter will be by the opinion and on the word of Ameer ul-M’umineen.’

However, al-Mansur did not act upon this letter although he was impressed by it. So he took steps to make the *Fuqaha* and the *muhaddithin* record what has reached them until people had references to which they could refer. The reason for al-Mansur not acting upon the opinion of Ibn al-Muqaffa’ in laying down a constitution and canons for the state which would have brought the people together on specific *ahkām*s was what transpired between him and Malik. Ibn Sa’ad narrates in *al-Tabaqat* that Malik bin Anas said:

"لما حج المنصور قال لي: قد عزمت على أن آمر بكتبك هذه التي وضعتها فتُنسخ ثم أبعث إلى كل مصر من أمصار المسلمين منها نسخة وآمرهم أن يعملوا بما فيها ولا يتعدوه إلى غيره. فقلت: يا أمير المؤمنين، لا تفعل هذا، فإن الناس قد سبقت لهم أقاويل وسمعوا أحاديث ورووا روايات وأخذ كل قوم بما سبق إليهم ودانوا به، فدع الناس وما اختار أهل كل بلد منهم لأنفسهم"

When al-Mansur performed *hajj* he said to me: I have taken the decision to order people to follow the books which you have written. They will be copied then I will send a copy to every Muslim city and and I will order them to act upon them and not refer to any other works. So I said O *Ameer al-Mu’minin*! Do not do this. The people already hold opinions, and they have heard *ahadith* and narrated reports, each people took what they already followed it, leave the people, let the people of each land chose for themselves.’

Owing to this, the *mazhabs* and opinions were not unified and *Ijtihād* and *ra’i* remained with the people in adopting the *hukm* they deemed correct. And the choice remained for judges and rulers to judge with what they deemed as appropriate. Due to this each *imam* of *fiqh* has students who came to study their opinions and explain his *mazhab* and the outlook towards this disagreement which took place changed and it became a science in its own right, they called it the science of disagreement (‘*ilm al-khilaf*). They studied it just as they studied *usul al-fiqh*. They said that the disagreement of the *imams* was a mercy. The student of each *imam* used to expand on the *furu’* (branches of *fiqh*). It was this expansion which preserved the *mazhabs* of certain *mujtahidin* and was the reason for the extinction of others. Al-Awza’i, al-Hasan al-Basri, al-Thawri and Ibn Jarir

al-Tabari are some of the greatest *imams* in terms of their breadth of knowledge and *Ijtihād*. However they did not expand in *furu'* rather confined themselves to the *usul* and they did not have students who would expound the position of their *mazhab*, that is why they were not acted upon and they did not spread. As for the rest of the imams such as Abu Hanifah, Ja'far al-Sadiq, Zayd ibn al-Husayn, al-Shafi'i, Ahmad ibn Hanbal and Malik, they had students and followers, so their *mazhabs* were recorded and continued to exist. Despite the restrictions imposed by Abu Ja'far al-Mansur on Ja'far al-Sadiq and others from the family of 'Ali he deduced rules and he had students from the *Shi'a* and others. They recorded his opinions and looked upon them as something akin to the Sunnah. His *mazhab* spread in many regions of the world. Abu Hanifah used to have many students, the most well known are Abu Yusuf, Muhammad ibn al-*Hasan* al-Shaybani and Zufar. They were all *mujtahids* like Abu Hanifah. Although they mixed their opinions with his, the credit goes to them for recording the *mazhab* of Abu Hanifah. The same goes for Imam Malik. He used to reside in Madinah; he had many students who were widely known for scrutinising the *hadīth* and transmitters of *hadīth*, especially in regard to the book al-Muwatta. His students after him used to record his *fatwas* and expand on the *furu'* and give their views on issues. Despite Malik's fame the credit for spreading his *mazhab* goes to his students. As for al-Shafi'i he had established his towering fame by his own hands in *usul al-fiqh* which is indicated by what comes in the large work *al-Umm* which along with *al-Risala* and *Ibtal al-Istihsan* are the greatest samples of intellectual awakening in that age. His students, such as al-Rabi' and al-Muzni who proceeded according this method and studied his opinions and expanded his *mazhab* and so it spread far and wide. Similarly for Ahmad ibn Hanbal, despite the dominant prevalence of *hadīth* in his *mazhab*, he had students who expanded his *mazhab* for him and studied his opinions. The credit first and foremost goes to those students, not only for spreading the *mazhab* of their teachers and *imams* but also for the exposition of the *fiqh* and ensuring that it flourished until their age was considered more radiant than the age of the *imams*. Since it was in this age that the commentaries of *ahkām* and clarification of evidences took place, in this way the *fuqaha* rushed ahead in studying *fiqh* and explaining it especially the science of *usul al-fiqh* which is the true basis of *fiqh*. The situation of *fiqh* continued to spread until it flourished greatly. The pinnacle of its bloom was in the fourth century A.H, a century after the *mazhabs* were formed.

The Decline of Islamic Jurisprudence

After the era of the students of *mujtahidin* came the adherents and followers of the *mazhabs*. They did not continue on the path which the *imams* and scholars of *mazahib* followed in *Ijtihād* and in the inference (*istinbat*) of rules. Nor did they continue on the path taken by the students of the *mujtahidin* in terms of studying the evidence, clarifying the angle of eduction and the branching out of the rules and exposition of issues. The followers of each *imam* or the scholars of each *mazhab* were only concerned about supporting their own *mazhab*, supporting its *furu'* and *usul* in all of the issues. They were not interested in studying the soundness of the *dalīl* and outweighing the preponderant evidence over the weaker evidence even if it went against their *mazhab*. Sometimes they were concerned with establishing the proofs for the correctness of the view they have adopted and invalidate the proofs against it and at other times their interest was devoted to extolling the *imams* and the scholars of the *mazhabs*. This preoccupied the scholars of the *mazahib* and distracted them from the primary source which is the Qur'ān and Sunnah. A person among them did not refer to the text of the Qur'ān or Sunnah except for the purposes of finding anything that will support the *mazhab* of his *imam*. Accordingly, their studies were confined to their *mazhabs*. And their zeal for absolute *Ijtihād* and reference to the primary sources in order to derive rules from them became weak. Their eagerness for *Ijtihād* was restricted to their *mazhab* or to one issue or simply to make *Taqlīd* without scrutiny. Their dependence on *Taqlīd* reached the point where they said: any *ayah* or *hadīth* which goes against what our scholars have said – i.e, our *mazhab*- it is to be interpreted (to accord with what we say) or it has been abrogated. They made the following of a *mazhab* an obligation on the Muslim. And they began to study in Islamic institutions such as al-Azhar, the saying of the author of *Jawhara al-Tawheed fi wujub al-Taqlīd*:

وواجب تقليد حبر منهمُ كذا حكى القوم بلفظ يفهمُ

An obligation it is to follow the learned amongst them.

Thus the people spoke in a language understood by them.

Rather, they believed that the door of *Ijtihād* should be closed for the Muslims. They held that *Ijtihād* was not permitted until many of the *'Ulamā* from amongst those who were qualified for *Ijtihād* and who had the aptitude for *Ijtihād* did not dare to perform *Ijtihād* or say that they were *mujtahids*. This decline started towards the end of the 4th century A.H, although in the beginning until the end of the 6th century and the beginning of the 7th there was some progress. *Mujtahidin* and scholars were present at a time when the likes of al-Qaffal were advocating the closing of the door of *Ijtihād*. However, from the beginning of the 7th century until the end of the 13th century A.H the decline was complete but it was within the limits of Islam. The decline was in thought but the jurisprudential opinions remained Islamic. As for after the 13th century i.e, from 1274 A.H. till now, the decline has reached the point where the *Sharī'ah* rules have become mixed with unIslamic laws and the situation reached the worst possible state of decline.

It was due to this jurisprudential decline that it made it difficult for people to act upon the *Sharī'ah* rules. So after the Islamic *Sharī'ah* had been sufficient for the entire world they made it difficult even for its adherents until they were forced to accomodate other laws which are not a match to it. Many pious Muslims began to refer to a *Sharī'ah* which was not the Islamic *Sharī'ah*. Towards the end of the *'Uthmani* state it was the ignorance of Islam and the ignorant *fuqaha* which was the principle reason for the backwardness of the Muslims and the end of their state. There were *fuqaha* who were rigid and always ready to give *fatwa* forbidding anything new and forbid the thoughts of any thinker. One of the curiously ludicrous and lamentable thing that happened was that when coffee appeared some scholars gave *fatwa* forbidding it and when smoking appeared they gave the *fatwa* of prohibition and when people wore the *fez* the *fuqaha*

gave the fatwa that it was forbidden to wear it and when the printing press appeared and the state decided to print copies of the Qur'ān some *fuqaha* forbade it to be printed. The telephone was invented and some *fuqaha* forbade people to speak through it and many other issues followed. Until the consequence in Islamic jurisprudence was that the Muslims became completely ignorant of it. The issue changed from studying the *Sharī'ah* rules to studying Western laws. And law schools were founded; schools whose presence in the Muslims countries was a shameful blot for them and towards the end of the *'Uthmani* state - the Islamic state and its leader the *Khalifah* of the Muslims - decided to imitate Western jurisprudence in the codification of law. Thus they introduced the *Majalla* in 1282 A.H as a civil law and a grand edict was issued in 1293 A.H to put it into effect and before that they had drawn up the Ottoman penal code in 1274 A.H. They introduced that in place of the *hudud*, criminal (*jinayat*) and discretionary punishments (*ta'zeer*). And in 1276 A.H. they introduced the Law of Rights and Commerce. Then they introduced the constitution in order to abolish the *Khilafah* system in its entirety in 1294 A.H. However, it was abolished and then reinstituted in 1326 A.H. (1908 C.E.). However, they tried to make it agree with Islam and mantained the *Khilafah* system. In this way, *fiqh* (comprehension) declined and became canon's and the *Sharī'ah* rules were abandoned and rules other than from Islam were adopted under the pretext that they agreed with Islam. An erroneous notion became prevalent that whatever agrees with Islam it is taken from any human being and the zeal of the *'Ulamā* waned and they, all of them, became *muqallidin* (followers). However, that was seen as coming under the shadow of Islam. But after the end of the *Khilafah* and the *kuffār* 's occupation, the English and French, of the Muslim lands. Then the Muslims countries came to be states founded on a nationalistic basis whether Arab, Turk or Iranian etc. The Islamic *fiqh* was wiped out from existence from the relationships of people and from education and learning. It was not studied except in certain countries, such as al-Azhar in Egypt, Najaf in Iraq, Zaytuna in Tunisia, however they were studied in the same manner as Greek philosophy was studied. The decline reached shocking levels since the Islamic *fiqh* vanished from existence from people's relationships.

The myth of the influence of Roman Law on Islamic Jurisprudence

Some orientalists who hate Islam and detest the Muslims claim that Islamic jurisprudence has been greatly influenced by Roman jurisprudence and law when in the early ages the Muslims had rushed forth with the conquests. They say that the Roman law was one of the sources of Islamic law and that some of its *ahkām* have been borrowed from this source. This means that in the time of the *Tabi'in* and after them the Muslims had adopted Roman laws from Roman jurisprudence. They educe evidence for their view by claiming that at the time of the Islamic conquest there were schools of Roman law present in the *Sham* (levant) region, in Qaysariyya and on the coasts of Palestine and Beirut. Also in the *Sham* region there were courts which in their systems and laws proceeded according to Roman law. These courts inside the Muslim lands continued for some time after the Islamic conquest which indicates that Muslims approved and adopted them and proceeded according to their laws and system. They supported this viewpoint with assumptions. They said it is natural for a people who did not adopt much of a sedentary life like the Muslims, when they conquered an urbanised land such as the *Sham* region which was under Roman rule that they should consider what they should do? What shall they rule them with? Thereafter, they borrowed their laws. Then they said that a comparison between certain sections of Islamic law and certain sections of Roman jurisprudence and law demonstrate the similarity between the two. They also show that certain laws have been copied exactly as they are in the Roman law, like:

﴿البيِّنة على مَنْ ادعى واليمين على مَنْ أنكر﴾

'The burden of proof rests on the one who makes the claim and on the one who rejects is the oath" [Reported by DarQutni]

And like the words *fiqh* and *faqih*. Rather those orientalists maintained that the Islamic law took rules from the *Talmud* which the *Talmud* took from Roman jurisprudence. According to their claim Islamic jurisprudence took Roman jurisprudence directly from schools and courts in *Sham* and through the *Talmud*.

This is what the Orientalists claim without furnishing any proof other than mere assumptions. The statements of these orientalists are wrong for a number of reasons:

First: No one reported about the Muslims, whether orientalist or others, that any Muslim, whether he was a *faqih* or not, that he alluded to Roman jurisprudence or law, either by way of criticism, support or with intention to borrow. No one has mentioned anything whatsoever much or little which indicates that Roman law was even a subject of discussion let alone a subject of study. Some Muslims did translate works of Greek philosophy but they did not translate a single word or sentence from the Roman jurisprudence let alone translate a book which strengthens the judgement that they were abolished and effaced from the land after the were conquered.

Second: At the time when the orientalists allege that there were schools of Roman jurisprudence and courts which ruled according to Roman law in the *Sham* region, *Sham* was full of *mujtahidin* from the *'Ulamā*, judges and rulers. It is natural that if any influence took place then it would have happened among those *fuqaha* (jurists). However, the reality is that we do not find in the *fiqh* of these people which has been preserved for us free of any influence by Roman jurisprudence or any mention of it. Rather their jurisprudence and *ahkām* were based on the Qur'ān, Sunnah and the *ijma'* of the *Sahabah*. One of the most famous from those *mujtahidin* is al-Awza'i. He used to live in Beirut, where the Orientalists allege was the site of the largest Roman schools in the *Sham*. He spent his entire life there and died there. His opinions have been

recorded in many of the recognised books of *fiqh*. Thus, in volume vii of al-Shafi'i's *al-Umm* there are numerous *ahkām*s by al-Awza'i. It becomes clear to anybody who reads them the extent of al-Awza'i's remoteness from Roman jurisprudence, like the remoteness of the earth from the sky. Even, the *mazhab* of al-Awza'i, as it becomes clear from his *fiqh* itself and what has been reported about him, was that of the *Ahl al-hadīth*. He relied upon *hadīth* more than he relied upon *ra'i*. The example of al-Awza'i is the same as that of other *fuqaha* (jurists). If there were any influences they would have emerged amid those *fuqaha*.

Third: The Muslims believed that Allah ﷻ addressed the whole of mankind in the Islamic *Shari'ah* and He ﷻ sent our master Muhammad ﷺ to all the people:

﴿وَمَا أَرْسَلْنَاكَ إِلَّا كَافَّةً لِلنَّاسِ بَشِيرًا وَنَذِيرًا﴾

"*We have not sent you (O Muhammad (saw)) except as a giver of glad tidings and a warner*" [TMQ Saba: 28]

They considered anyone who did not believe in the Islamic *Shari'ah* as a disbeliever and they believed that any *hukm* which is other than the *hukm* of Islam is a *hukm* of *kufr* (disbelief) whose adoption is forbidden. Whoever believes in such a belief and acts upon it he cannot take other than the *hukm* of Islam, especially in the early period, in the time of the conquests where the Muslims used to be the carriers of the Islamic Message, opening other lands to carry the *Da'wah* of Islam to them. They conquered other lands to save the people from the rule of *kufr* (disbelief). So how can they conquer a country only to accept the rule of *kufr* for they have come to destroy and put the rule of Islam in its place?

Fourth: It is not correct that the Muslims when they conquered countries were from a lower civilisation than the conquered land. If that was correct they would have abandoned their civilisation and adopted the civilisation of the conquered lands. The observable and perceptible reality is that the lands which the Romans used to rule carried thoughts about life which contradicted Islam. When the Muslims conquered them they did not force the inhabitants to profess Islam. Rather they were content just to take the *jizya* from the people. But it did not take long before the strength of the Islamic thought and the sublimity of the Islamic civilisation prevailed over the Roman thoughts and Roman civilisation and made it extinct. The inhabitants of the country became Muslims professing Islam and living according to it path with contentment and tranquillity which indicates that the thoughts of Islam had wiped out the Roman jurisprudence and Roman thoughts and had taken its place. This reality which speaks for itself refutes the assertion of the orientalists that the Roman civilisation was stronger than the Islamic civilisation. And it refutes their assertion that the Islamic jurisprudence was influenced by the Roman jurisprudence.

Fifth: the word '*fiqh*' and '*faqih*' have been mentioned in the Noble Qur'ān and in the sacred *hadīth*. The Muslims did not know of any relations regarding legislation with the Roman. He ﷻ said:

﴿فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِنْهُمْ طَائِفَةٌ لِيَتَفَقَّهُوا فِي الدِّينِ﴾

"*Of every troop of them, a party should only go forth, that they (who are left behind) may get instructions in religion.*" [TMQ Tawba: 122]

And he ﷺ said:

﴿من يرد الله به خيراً يفقه في الدين﴾

"Whosoever from whom Allah wishes good, He makes him to comprehend the deen" [Reported by Bukhari & Muslim]

And the question of the Messenger ﷺ to Mu'az when he sent him to Yemen: With what will you judge? Mu'az replied: with the Book of Allah ﷻ then with the Sunnah of the Messenger of Allah ﷺ, then I will exercise my own opinion; which is the *fiqh*. Similarly, sending the rest of the *Wali's* to other regions and the legal judgements of the *Sahabah* account for more than a quarter of a century that constituted *fiqh*. So how can they assume that the word '*fiqh'* and '*faqih'* was taken from the Romans? As for the maxim:

"البينة على المدعي واليمين على من أنكر"

'The burden of proof rests on the one who makes the claim and on the one who rejects is the oath'.

It is a *hadith* of the Messenger ﷺ which he stated before any legislative contact with the Romans. The maxim has been mentioned in the letter of 'Umar to Abu Musa in Basra. It is well known that no legislative contact took place between 'Umar and the Romans. So how can they allege that the Muslims took the term *fiqh*, *faqih* and the principle: 'The burden of proof rests on the one makes the claim and on the one who rejects is the oath' from the Romans when the Muslims themselves have said these things and they had them since the dawn of Islam.

From this it becomes clear that the myth of the influence of Roman law on Islamic jurisprudence has absolutely no basis whatsoever. It is a fabrication of the orientalists who are hostile to Islam, who fill their hearts with hatred for the Muslims...

As for the issue of Islamic jurisprudence taking from the *Talmud*, its fallacy is evident from the Qur'ān's attack on the Jews for fabricating the *Tawrah* and *Injeel* which were revealed to *sayyidna* Musa عليه السلام and *sayidina* 'Isa عليه السلام and that what they have with them has been written by their own hands, it is not from Allah ﷻ. Moreover, the fact that the Jews used to be separate tribes from the Muslims, they did not live with the Muslims, they did not even mix with them not to speak of the constant animosity between them and the Muslims and the unremitting wars waged on them by the Muslims until they expelled them from their midst. This contradicts the idea of Muslims taking from them.

The truth, and the perceptible reality is that Islamic jurisprudence constitutes rules deduced from the Qur'ān and Sunnah or to what the Qur'ān and Sunnah alluded to in terms of evidence and that if the rule is not based, in its origins, on a *Shari'ah* evidence, it is not considered as a part of the rules of Islam and nor is it considered part of Islamic jurisprudence.